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The State of Rhode Island

Rhode Island Commerce Corporation



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Broadband Equity, Access, and Deployment (BEAD) Program

Initial Proposal *Volume 2*


December 20, 2023 

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Dear Fellow Rhode Islanders,

The Rhode Island Commerce Corporation (Corporation) is pleased to share Volume 2 of Rhode Island's Initial Proposal for the Broadband Equity, Access, and Deployment (BEAD) Program. Volume 2 articulates the Corporation's response to all requirements of the National Telecommunications and Information Administration's (NTIA) notice of funding opportunity not included in Volume 1 of the Initial Proposal.



The Corporation created this document as part of its ConnectRI program, which is responsible for allocating federal broadband dollars from BEAD, the Digital Equity Act (DEA, which NTIA administers), and the Capital Projects Fund (CPF, which the Department of the Treasury administers). ConnectRI aims to achieve universal service and work toward digital equity, driven by the following principles (informed by the state's needs and federal guidance): expand fiber infrastructure in the state, eliminate cost as a barrier, and foster an inclusive digital advancement ecosystem.

Should you have any questions, please contact ConnectRI via email at broadband@commerceri.com. For more information about the Corporation and ConnectRI, please visit <https://commerceri.com/broadband>.

Sincerely,

Brian Thorn
Director of Broadband Strategy
Rhode Island Commerce Corporation

Definitions and Abbreviations

ACP	Affordable Connectivity Program
AIPC	Aquidneck Island Planning Commission
BABA	Build America, Buy America Act
BEAD	Broadband Equity, Access, And Deployment
BSL	Broadband Serviceable Location
CAIs	Community Anchor Institution
CPAU	Critical Project Area Unit
CPF	Capital Projects Fund
CRMC	Coastal Resources Management Council
CWA	Communication Workers of America
DBEs	Disadvantaged Business Enterprises
DEA	Digital Equity Act
DEDI	Division of Equity, Diversity & Inclusion
DSL	Digital Subscriber Line
EHCPLT	Extremely High Cost Per Location Threshold
EHP	Environmental and Historic Preservation
FCC	Federal Communications Commission
FEMA	Federal Emergency Management Agency
FIRM	Flood Insurance Rate Maps
FTEs	Full Time Employees
FTTP	Fiber-to-the-premises
HFC	Hybrid Fiber-Coaxial

IBEW	International Brotherhood of Electrical Workers
IJA	Infrastructure Investment and Jobs Act
ISBE	Independent Small Business Enterprise
ISP	Internet Service Provider
LSA	Labor Surplus Area
MBE	Minority Businesses Enterprises
NDIA	National Digital Inclusion Alliance
NEPA	National Environmental Policy Act
NHPA	National Historic Preservation Act
NIST	National Institute of Standards and Technology
NOAA	National Oceanic and Atmosphere Administration
NOFO	Notice of Funding Opportunity
NSPE	National Society of Professional Engineers
NTIA	National Telecommunications and Information Administration
OER	Office of Energy Resources
OJT	On the Job Training
OSHA	Occupational Safety and Health Administration
OSHEAN	Ocean State Higher Education Economic Development and Administrative Network
PA	Project Area
PAU	Project Area Unit
PCE	Personal Consumption Expenditures (Price Index)
PE	Professional Engineer
RDOF	Rural Digital Opportunity Fund

RFP	Request for Proposal
RICR	Rhode Island Code of Regulations
RICC or Corporation	Rhode Island Commerce Corporation
RIDEM	Rhode Island Department of Environmental Management
RIDLT	Rhode Island Department of Labor and Training
RIDOT	Rhode Island Department of Transportation
RIPTA	Rhode Island Public Transit Authority
SAMP	Shoreline Change Special Area Management Plan
SCRM	Supply Chain Risk Management
SHMP	State Hazard Management Plan
UST	United States Treasury
WBE	Women's Business Enterprises
WIOA	Workforce Innovation and Opportunity Act

2.1 Objectives (Requirement 1)

2.1.1 Long-Term Objectives

Outline the long-term objectives for deploying broadband; closing the digital divide; addressing access, affordability, equity, and adoption issues; and enhancing economic growth and job creation. Eligible Entities may directly copy objectives included in their Five-Year Action Plans.

Broadband is essential infrastructure for the 21st century. It enables economic development, access to education and employment, healthcare, news and entertainment, and connection to family and friends. Broadband is necessary for meaningful participation in society. Yet high-quality broadband is not universally accessible in the State of Rhode Island. At a time when access to the internet is a necessity – for remote work, distance learning, telehealth, engagement with digital government, basic business operations, and so much more – this disparity creates a deep digital divide in Rhode Island. Until every Rhode Islander is connected to reliable, affordable high-speed broadband, the State will not reach its full potential for economic growth and universal prosperity.

The digital divide in Rhode Island is twofold:

1. There is not yet universal availability of reliable, high-quality broadband infrastructure, and
2. Not every individual or business has the capacity to effectively utilize broadband services available to them. Ubiquitous broadband access necessitates: the affordability of service; access to computers and other internet-enabled devices; and the acquisition of digital skills and technical support, which are essential for accessing a range of digital services, from basic tasks (e.g., email and web browsing) to more advanced applications (e.g., videoconferencing and telehealth).

To address the digital divide, U.S. Commerce Secretary Gina Raimondo announced in her remarks on June 30, 2023, in Newport, Rhode Island, that “Rhode Island will receive an investment of more than \$108 million dollars to ensure everyone in the

state has access and to address other issues, like affordability and digital inclusion.” This funding originates from the National Telecommunications and Information Administration’s (NTIA) Broadband Equity, Access, and Deployment (BEAD) Program.

The Rhode Island Commerce Corporation (Corporation) is charged with implementing the BEAD program within the State of Rhode Island and is committed to realizing the goals of universal access, affordability, and digital inclusion, as set forth by the U.S. Department of Commerce. The Corporation has established the ConnectRI program to allocate federal broadband dollars from programs including BEAD, the Digital Equity Act (DEA, which NTIA administers), and the Capital Projects Fund (CPF, which the Department of the Treasury administers).

As adopted by the State’s Broadband Advisory Council (a body created by the Rhode Island General Assembly to advise the ConnectRI program) in December 2022, the ConnectRI program aims to “Leverage a best-in-class, resilient, sustainable, and scalable broadband infrastructure to propel the state’s 21st century economics, education, healthcare, civic and social engagement, and quality of life, by ensuring all Rhode Islanders have access to affordable, accessible high-speed internet in their homes, at their places of employment, and at public facilities by 2027.”

The ConnectRI program’s aims of affordable, universal, high-speed service and digital equity have been driven by principles informed by both the state’s needs and federal guidance on disbursement of broadband infrastructure and digital equity funds:

1. Expand fiber infrastructure in the state,
2. Eliminate cost as a barrier, and
3. Foster an inclusive digital advancement ecosystem by:
 - a. Cultivating strong implementation partners,
 - b. Meeting communities where they are,
 - c. Pacing and prioritizing actions for impact, and
 - d. Building and maintaining reliable data systems for decision making.

Accordingly, the State intends that all Rhode Island residents should have reliable, affordable access to broadband services with a minimum speed of 100 megabits-per-second (Mbps) for downloads and 100 Mbps for uploads (however, for alignment with

the BEAD NOFO, the State assesses availability and gaps against NTIA target of 100 Mbps for downloads and 20 Mbps for uploads, sometimes referred to as 100/20 Mbps within this document). This aligns with the new baseline speed recognized by U.S. Treasury (UST) and is higher than the baseline speed required by NTIA and the speed currently being discussed by the Federal Communications Commission (FCC) as the new broadband threshold. To effectively facilitate economic and social development for decades to come, the State further intends to support an infrastructure that can enable residents, in the near future, to access gigabit – or even multi-gigabit – broadband speeds, with symmetrical download and upload capabilities, regardless of their location. Given these goals, Rhode Island will prioritize increasing access to fiber optic networks through the ConnectRI program. These networks represent the highest quality known broadband infrastructure standard and offer an opportunity to “future-proof” deployed networks.

Building on the State’s overarching vision and goals for broadband, the Corporation has identified four objectives to ground this work and ensure these state and federal goals are met:

1. Maximize funding allocation, with a focus on universal service (the principle that all Rhode Islanders should have access to high-speed broadband services) and affordability,
2. Cultivate strong implementation partnerships,
3. Promote community engagement, and
4. Drive economic and workforce development and create high-quality jobs.

To evaluate success against these objectives, the Corporation will track key metrics tied to each goal including, but not limited to:

- Indicators of universal, affordable access to broadband ($\geq 100/20$ Mbps and $\geq 100/100$ Mbps (download/upload)) such as broadband penetration of households, cost of broadband access as a percentage of household income and small business monthly expenses, and ownership of devices such as laptops and tablets,
- The number of partnerships in Rhode Island subgrantees’ proposals,

- Inclusion of community stakeholders in digital equity initiatives, measured through the volume and diversity of stakeholders engaged and who provided commentary on the Corporation's digital equity plans,
- Metrics related to job creation, employment, and enrollment in workforce development programs.

2.2 Local, Tribal, and Regional Broadband Planning Processes (Requirement 2)

2.2.1 Supporting Broadband Planning Processes

Identify and outline steps that the Eligible Entity will take to support local, Tribal, and regional broadband planning processes or ongoing efforts to deploy broadband or close the digital divide. In the description, include how the Eligible Entity will coordinate its own planning efforts with the broadband planning processes of local and Tribal Governments, and other local, Tribal, and regional entities. Eligible Entities may directly copy descriptions in their Five-Year Action Plans.

At the time of submission for this Initial Proposal Volume 2, the Corporation has engaged with local governments across Rhode Island to understand previous and existing broadband planning efforts (please note there are no regional [e.g., county] or governments or planning bodies in Rhode Island). The Corporation's stakeholder engagement with local governments targeted mayors, city managers, and supervisors at all municipalities within the state; the League of Cities and Towns supported the Corporation's engagement and outreach efforts, which included, but were not limited to, emails, phone calls, newsletters, dozens of public meetings and webinars, local events/engagements, and web-based stakeholder surveys, such as the Rhode Island Internet Connectivity Survey.

As a result of these efforts, the Corporation has identified the following previous and ongoing local broadband planning and implementation processes in Rhode Island:

- The Town of New Shoreham's Broadband BI, which constructed and implemented, through innovative public-private partnerships, Rhode Island's first municipally owned fiber-to-the-home network. All locations on Block Island were first available for service via Broadband BI in June 2023.
- The Aquidneck Island Planning Commission (AIPC) has also stated its interest in developing alternatives to current broadband networks on Aquidneck Island, which includes the municipalities Portsmouth, Middletown, and Newport. AIPC efforts are currently in a nascent stage. See:

<https://aquidneckplanning.org/projects/island-gig-community-broadband-for-aquidneck-island/>

The Corporation's engagement with the Narragansett Indian Tribe (Tribe), the only federally recognized tribe in Rhode Island, is ongoing as of the submission of this Initial Proposal. This engagement has included a formal Dear Tribal Leader Letter (sent via certified mail on November 7, 2023) and virtual consultations with the Tribe's Director of Community Planning & Natural Resources and Program Assistant, the last of which occurred on December 6, 2023. Both the Corporation and the Tribe are enthusiastic about coordinating future broadband efforts through BEAD and other programs. Engagement with the Tribe to date has not yet identified Tribal broadband planning and implementation processes, but the Corporation, as it continues to engage with the Tribe, will seek to identify such planning and implementation processes. As of the submission of this Initial Proposal, the Corporation awaits the results of the Tribal Council's discussions on broadband. 📍

2.3 Local Coordination (Requirement 4)

2.3.1. Local Coordination To-Date

Describe the coordination conducted, summarize the impact such coordination has on the content of the Initial Proposal, and detail ongoing coordination efforts. Set forth the plan for how the Eligible Entity will fulfil the coordination associated with its Final Proposal.

Description of Coordination Conducted to Date

Ongoing and frequent involvement of stakeholders has played a key role in the development of this Initial Proposal and will continue to be critical for the success of Rhode Island's broadband deployment plans and the realization of the state's broadband and digital equity goals. The Corporation is committed to multiple and continuous methods of direct involvement with targeted stakeholder groups, in addition to extensive outreach initiatives targeting individual members of diverse communities.

The Corporation categorizes stakeholders into four groups: Public Service Stakeholders, Private Sector Stakeholders, Community-serving Stakeholders, and the Broader Public.

For each of these four categories, Rhode Island's stakeholder engagement model focuses on:

- Conducting meaningful engagement and outreach to a diverse set of stakeholders within these categories,
- Ensuring complete geographic coverage across Rhode Island,
- Deploying multiple awareness and participation strategies to keep stakeholders informed,
- Establishing clear procedures to ensure transparency, and
- Prioritizing engagement with unserved, underserved, and historically underrepresented and marginalized groups/communities (The Corporation defines "historically underrepresented and marginalized groups/communities")

in the same way that the DEA defines “covered population.” These groups/communities include low-income households, aging populations, incarcerated and formerly incarcerated individuals, veterans, people with disabilities, people with language barriers, racial and ethnic minorities, and rural inhabitants).

To ensure the success of the Corporation’s local coordination efforts, the Corporation has hired a full-time outreach coordinator to provide the program management capability to enable ongoing stakeholder engagement.

Throughout its stakeholder engagement efforts, the Corporation has collaborated closely with the National Digital Inclusion Alliance (NDIA) to raise awareness throughout the state regarding BEAD, the Affordable Connectivity Program (ACP), and other broadband programs.

Outreach to Diverse Groups

Public Service Stakeholders – To date, the Corporation has collaborated with public service stakeholders including, but not limited to, town administrators, mayors, supervisors, town councils, state agency representatives, and school district IT personnel and superintendents. Engagement with these stakeholders – a group that encompasses more than 600 contacts – has included:

- Local government roundtable discussions,
- A booth and education session at the biannual League of Cities and Towns meeting,
- Updates at the monthly municipal leaders’ call hosted by the Governor’s office,
- State government consultations, and
 - o This includes ongoing efforts to engage state agencies through the Cross State Agency Broadband Working Group, members of which include the Rhode Island Department of Education, the Rhode Island Department of Corrections, the Rhode Island Department of Health, the Rhode Island Emergency Management Agency, the Rhode Island Department of Transportation, the Rhode Island Department of Labor and Training, the

Rhode Island Department of Environmental Management, the Office of the Governor, and leaders from the Town of Warren and the City of Providence as municipal representatives.

- o The Corporation is planning further outreach to the Rhode Island Public Utilities Commission and Division of Public Utilities and Carriers, the Rhode Island Department of Transportation, and the Rhode Island Field Office of the U.S. Department of Housing and Urban Development.
- Virtual and in-person meetings.

As a result of these efforts, the Corporation certifies that it has reached out to all municipalities within the State of Rhode Island.

The Corporation also considers Tribal Governments to be Public Service Stakeholders. Please refer to Sections 2.2 and 2.3.2 of this report for further information detailing the Corporation’s engagement with the Narragansett Indian Tribe, the only federally recognized tribe in Rhode Island, which relates that the Corporation has ongoing engagement with the Tribe, and that both the Corporation and the Tribe are enthusiastic about future collaboration on broadband deployment. To date, engagement with the Tribe engagement has included a formal Dear Tribal Leader Letter and virtual consultations with the Tribe’s Director of Community Planning & Natural Resources.

Private Sector Stakeholders – To date, the Corporation has collaborated with Internet Service Providers (ISPs), local Rhode Island businesses, and labor organizations. Engagement with these stakeholders has included:

- Regular discussions, most of which occur monthly, with ISPs currently operating within the state and ISPs considering entry into the state,
- Informal feedback sessions with local Rhode Island businesses and business-serving organizations, *
- Interviews with representatives from educational/training agencies and labor organizations, such as the International Brotherhood of Electrical Workers (IBEW) and the Communication Workers of America (CWA), and

- Consultation with Chambers of Commerce.

Community-serving Stakeholders – To date, the Corporation has collaborated with non-profits, local libraries, religious organizations, neighborhood associations, and other community groups. This engagement has allowed Rhode Island to effectively receive input from a wide range of stakeholders, including, especially, underserved & unserved communities, historically underrepresented and marginalized groups/communities, and communities that have difficulty accessing service, such as low-income households, aging populations, incarcerated and formerly incarcerated individuals, veterans, people with disabilities, people with language barriers, racial and ethnic minorities, and rural inhabitants. Additionally, the Corporation’s engagement efforts have helped to increase participation in the ACP by 13 percentage points over the eight months between March 2023 and October 2023. Engagement with these stakeholders has included:

- Community broadband events in partnership with community-serving stakeholders (e.g., ACP enrollment drives),
- Regular discussions and collaboration with leading community organizations (e.g., American Association of Retired Persons, United Way of Rhode Island),
- Bi-weekly meetings of the Corporation’s Digital Equity Working Group, which develops targeted strategies the state could take to address digital equity in Rhode Island, Community workshops (Working Group members include libraries, senior centers, public housing authorities, and leading community organizations),
- Roundtable discussions,
- Interviews with community leaders and key community organizations, and
- Virtual and in-person meetings.

Broader Public – To realize an inclusive and effective engagement model that enables participation from a diverse range of stakeholders, the Corporation has also engaged with the broader public, in addition to the other stakeholder groups. The

Corporation's engagement activities have included:

- Statewide public broadband survey (n=743),
 - o The Rhode Island Internet Connectivity Survey was conducted through responses taken on the Corporation's website. Responses were collected from April 2022 to May 2023. The survey was conducted in both English and Spanish. Outreach for respondents was done via social media, flyers, and email newsletters.
- Community broadband events (27 in-person and 7 virtual),
- Public meetings/discussions including webinars (12 in-person and 3 virtual), and
- Open office hours sessions (5 in-person).

Geographic Coverage

To date, the Corporation has completed 33 statewide events and activities to engage with stakeholder groups. Given that Rhode Island is only 48 miles North to South and 37 miles East to West and that most statewide activities occur virtually or in Providence (near the center of the state and at most a ~50-minute drive from the furthest parts of the state), the Corporation believes statewide events fulfill NTIA's geographic coverage requirements.

Nonetheless, the Corporation has also engaged in regional engagement efforts to exceed NTIA's geographic coverage requirements. In addition to the statewide events, the Corporation has hosted 48 regional events and activities across all of Rhode Island's counties. The Corporation continues to plan for further regional events and activities in every county to further ensure that Rhode Islanders, regardless of where they live, can engage in BEAD planning activities.

The Corporation hosted in-person stakeholder events in centrally located, accessible facilities that are open to the public (e.g., libraries, community colleges). Events – like the Corporation's Internet for All: ConnectRI Broadband Summit (hosted in collaboration with NTIA at the Community College of Rhode Island, Newport Campus on June 1, 2023) – ensure that a comprehensive range of stakeholders in the state

were granted the opportunity to actively participate in broadband deployment and planning discussions. The Corporation has also hosted a variety of virtual events to ensure participation by those unable to attend in person.

Multiple Awareness Mechanisms

The Corporation has used multiple mechanisms to promote broad awareness and participation from various stakeholder groups. Awareness mechanisms used to date include, but are not limited to:

- Social media posts (see examples in table below),


Date	Platform	Content/Notes
May 2023	Facebook	Announcement of Broadband Workshop
June 2023	LinkedIn	Advertisement of ConnectRI’s Broadband Summit.
June 2023	LinkedIn	ACP enrollment assistance/awareness
June 2023	Facebook	BEAD announcement
June 2023	Facebook	ACP enrollment assistance/awareness
July 2023	LinkedIn	Summary the Broadband Summit and advertisement of ACP events
September 2023	Facebook	Announcing a series of workshops for Digital Inclusion week
October 2023	Facebook	Video of Rhode Island Governor McKee that highlights ConnectRI
November 2023	Facebook	Digital Equity workshop for the BEAD program

- Posts on the Corporation’s [website](#),
- Radio advertisements (including radio advertisements in languages other than English),

- Local newspaper advertisements (including in the Providence Journal),
- [In-person meetings/presentations](#),
- [Virtual meetings/presentations](#),
- Emails and newsletters,
- Surveys, and
- Engagement with Community Anchor Institutions (CAIs) to promote and distribute information.

Transparency

In conducting local coordination and outreach activities, the Corporation has established and documented procedures to promote transparency. The Corporation makes information on planned broadband activities accessible to a diverse set of stakeholder groups via the following approaches:

- Posting publicly available information to websites with up-to-date information;
- Involving a diverse set of stakeholders in the planning, implementation and execution of coordination and outreach efforts and activities, and in-person meetings and mailings;
- Documenting (e.g., notes,  minutes, recordings, photos, etc.) each event/activity and distributing such documentation to attendees and, when appropriate, to the public; and
- Maintaining an up-to-date schedule of activities and events, communicated online and via emails, calls and newsletters.

Underrepresented Engagement

The Corporation is committed to engaging with underrepresented groups and individuals, including unserved/underserved communities and historically underrepresented and marginalized communities. These groups/communities include low-income households, aging populations, incarcerated and formerly incarcerated individuals, veterans, people with disabilities, people with language barriers, racial

and ethnic minorities, and rural inhabitants.

To date, the Corporation's engagement activities, as described above and in the Local Engagement Tracker, have addressed low-income households, aging populations, people with language barriers, and racial and ethnic minorities. The Corporation has planned activities to engage with rural inhabitants, incarcerated and formerly incarcerated individuals, veterans, and people with disabilities. The Corporation has accessed these communities through community action organizations, community centers, housing authorities, libraries, YMCAs, the Boys and Girls Club, and senior centers. The Corporation has partnered with these organizations to host ACP awareness and enrollment events, workshops, digital skills training, digital equity and BEAD listening sessions, and other events. This engagement has been both in-person and virtual. Notes and materials events have been made available on the [ConnectRI website](#) for those who cannot attend.

Summary of Coordination Impact and Findings

The ongoing coordination efforts have helped the Corporation to better define unserved and underserved locations. As described in Volume 1 of the Initial Proposal, the Corporation found, through the ongoing coordination efforts, that Rhode Islanders from some parts of the state and from diverse groups have reported to the Corporation that they lack access to affordable, high-speed broadband. In listening sessions, workshops, round table discussions, survey responses, speed test submissions, and other forums, some Rhode Islanders report they are unable to access broadband with download speeds greater than or equal to 100 Mbps and/or upload speeds greater than or equal to 20 Mbps and latency equal to or below 100 milliseconds. These reports appear to be inconsistent with the National Broadband Map, which classifies ~99.3 percent of locations as served (the National Broadband Map classifies only 2,895k locations in Rhode Island, ~0.7 percent of all locations, as either underserved or unserved). To reflect the reality of broadband in Rhode Island, ensure the most accurate broadband data maps inform the ConnectRI program, and rectify the differences between the experiences of Rhode Islanders and the data within the National Broadband Map, the Corporation will engage in a pre-challenge,

area reclassification process to create the Rhode Island Broadband Map. See **Section 1.2** of Volume 1 of the Initial Proposal for further information on the pre-challenge, area reclassification process.

The ongoing coordination efforts have also identified the preference of stakeholders that BEAD have a long-term impact on the broadband market in Rhode Island. To articulate this point, stakeholders drew a comparison with the ACP; although ACP enrollment has proven beneficial for Rhode Islanders, ACP funds may not be renewed and are thus perceived to be short-term and potentially unsustainable. Stakeholders articulate that ACP's uncertain future makes it difficult for them to plan effectively and requested that BEAD programs in Rhode Island be implemented in a way that creates sustainability.

Additionally, the ongoing coordination efforts have identified unrelated, but adjacent efforts within the State's government (e.g., Department of Transportation infrastructure projects and Department of Environmental Management climate resilience efforts) that subgrantees may leverage to reduce costs, improve climate resilience, or expedite deployment.

Other findings from the Corporation's ongoing coordination efforts include:

- From the Corporation's Rhode Island Internet Connectivity Survey (April 2022 – May 2023, N = 743, conducted via the Corporation's website)
 - o About half of respondents report subscription to cable broadband, 19% report subscription to fiber, and 8% report subscription to fixed wireless.
 - o 56% of respondents note that they are satisfied with their current service.
 - o Only 19% of respondents said their services are affordable.
- Aging individuals find broadband services to be too expensive and are apprehensive about their abilities to use technology.
- Incarcerated individuals presently lack access to both modern technologies and internet; the Rhode Island Department of Corrections is aware of this challenge and is in the early stages of developing a plan to resolve this challenge. Formerly incarcerated individuals lack any dedicated programs,

apart from those available to the broader public, from the State or Federal governments to increase access to broadband and the digital economy.

- While there are many broadband access programs to support **Spanish-speakers**, there are limited programs to support other individuals whose primary language is neither English nor Spanish.

Coordination with Final Proposal

Once NTIA has approved Rhode Island’s Initial Proposal, the Corporation will continue to engage with stakeholders via approaches similar to those described herein. The Corporation intends to continue to build upon its network of stakeholders after approval of the Initial Proposal as it executes the state-administered challenge process and the Subgrantee Selection Processes. The Corporation also plans to keep existing and new stakeholders abreast of its broadband efforts via regular newsletters, webinars, and engagement activities similar to those described herein.

2.3.1.1 Attachment: Local Coordination Tracker

As a required attachment, submit the Local Coordination Tracker Tool to certify that the Eligible Entity has conducted coordination, including with Tribal Governments, local community organizations, unions and work organizations, and other groups.

The Corporation’s Local Coordination Tracker is available [here](#).

2.3.2. Tribal Consultation Progress

Describe the formal tribal consultation process conducted with federally recognized Tribes, to the extent that the Eligible Entity encompasses federally recognized Tribes. If the Eligible Entity does not encompass federally recognized Tribes, note “Not applicable.”

The Corporation's engagement with the Narragansett Indian Tribe (Tribe), the only federally recognized tribe in Rhode Island, is ongoing as of the submission of this Initial Proposal. This engagement has included a formal Dear Tribal Leader Letter (sent via certified mail on November 7, 2023) and virtual consultations with the Tribe's Director of Community Planning & Natural Resources and Program Assistant, the last of which occurred on December 6, 2023. Both the Corporation and the Tribe are enthusiastic about coordinating future broadband efforts through BEAD and other programs. As of the submission of this Initial Proposal, the Corporation awaits the results of the Tribal Council's discussions on broadband.

The Corporation's ongoing engagement with the Narragansett Indian Tribe is aligned with NTIA's guidance, as outlined in the *SBO Engagement Guide – Tribal Governments*. The Corporation continues to work to gather the Tribe's input based on this guidance to promote ongoing dialogue and better understand the Tribe's priorities and needs.

It should be noted that the Narragansett Indian Tribe received a recent Tribal Broadband Grant Program award in 2022 from NTIA to support access on Tribal land. As this grant is administered by a sovereign nation and not the State of Rhode Island, the Corporation does not currently have visibility into the use of these funds. The Corporation will make every reasonable effort to ensure that BEAD funds are not duplicative to the Narragansett Indian Tribe's Tribal Broadband Grant.

2.3.2.1 Optional Attachment: Tribal Consultant Process Evidence


As a required attachment only if the Eligible Entity encompasses federally recognized Tribes, provide evidence that a formal tribal consultation process was conducted, such as meeting agendas and participation lists.



Evidence of the Corporation's consultation with the Narragansett Indian Tribe, Rhode Island's only federally recognized Tribe, is available [here](#).

2.4 Deployment Subgrantee Selection (Requirement 8)

Deployment Projects Subgrantee Selection Process & Scoring Approach

The Corporation’s primary goals for the Deployment Subgrantee Procurement and Selection Process (the “Process”) are:

1. **Accessibility:** Expand fiber infrastructure in the state 
2. **Affordability:** Eliminate cost as a barrier
3. **Equity:** Foster an inclusive digital advancement ecosystem by meeting communities where they are, enabling participatory planning, cultivating strong implementation partners, and building and maintaining reliable data systems for decision making

 Rhode Island has  prioritized the use of end-to-end fiber infrastructure within its BEAD program for the following reasons:

1. NTIA has interpreted the Infrastructure and Jobs Act of 2021 to require Eligible Entities to use BEAD funds, as much as possible, for fiber optic infrastructure (see BEAD NOFO, page 42).
2. There are practical and technical reasons for preferencing fiber optic technology, including its future-proofed nature (i.e., its ability to meet broadband demand today and into the future), its reliability, and its lifespan (in comparison to the lifespan of other infrastructure types).

This section describes how the Corporation proposes to select proposers to deploy broadband infrastructure in Rhode Island, and how funding will be awarded. To do so, the Corporation will follow the applicable procurement methods set forth in the State Purchase Act, R.I. Gen. Laws § 37-2-1, et seq. (the “Act”) and the BEAD NOFO. The section also includes details on the process, timeline, scoring and steps the Corporation will take to maximize the reach and impact of the BEAD funds throughout Rhode Island.

2.4.1 Subgrant Award Plan

Describe a detailed plan to award subgrants to last-mile broadband deployment projects through a fair, open, and competitive process.

Fair, Open and Competitive Process

Rhode Island has the benefit of an existing middle-mile broadband infrastructure through investments by ISPs, the Ocean State Higher Education Economic Development Administrative Network (“OSHEAN”) and public entities including Rhode Island Public Transit Authority (RIPTA) and Rhode Island Department of Transportation (RIDOT). However, there remains in the state a digital divide. High quality broadband is not universally available in Rhode Island.

The Corporation seeks to use the unprecedented federal funding from NTIA and other sources to change this by investing in last-mile broadband infrastructure to bring high-speed, fiber-based service to expand and future-proof the fiber infrastructure in the state affordably and equitably.

To do this, the Corporation wants to foster an inclusive digital advancement ecosystem built on communities, participation, partnerships, and transparent and clear decision making. The Corporation seeks to achieve the best outcomes for unserved and underserved communities and is committed to awarding subgrants to deploy broadband through a fair, open, and competitive process that complies with the Act.

The principles of a fair, open, and competitive process consistent with the Act will allow the Corporation to incorporate key public policy goals into contracts with private partners while increasing choice and competition from service providers.

Open. The Corporation has developed a process that is open, inclusive, and transparent, which will be deployed through a Request for Proposals (“RFP”) process. The Deployment Subgrantee Selection Process will ensure an open and competitive process and prevent favoritism and collusion. Any type of ISP registered to do business in Rhode Island or any ISP that will be registered in Rhode Island prior to the execution of a subaward that is currently capable or which will be capable in the

future of providing residential internet service in Rhode Island is welcome to submit a proposal including, but not limited to, for-profit entities, public utilities, public utility districts, local governments, non-profit organizations, co-operatives, and public-private partnerships.

The Corporation will ensure that all materials, resources, and guidance and announcements are up-to-date and are available to all prospective proposers on the Corporation's website. The Corporation will also maintain an up-to-date schedule of activities and events on the website.

The Corporation will issue press releases to announce the RFPs, publicize them on its websites and to subscribers of the Corporation's monthly newsletter via a targeted email campaign. The Corporation will also notify telecommunications providers registered with the Rhode Island Public Utilities Commission and Division of Public Utilities and Carriers and all individuals and organizations that submitted comments on the draft version of this document. Additionally, the Corporation will run print ads in local publications.

During each RFP round, the Corporation will host one information session to ensure that all potential proposers have access to the requirements. During this session, the Corporation will provide clarifying guidance to potential proposers on application guidelines and requirements. The Corporation will also answer any questions that potential proposers may have and will publish them in a written Q&A that will be posted on the Corporation's website. Following the publication of the RFP, prospective proposers will have 40 days to respond to the RFP to form a proposal (a complete timeline of the RFP is available at the end of Section 2.4.1).

Fair. The Corporation seeks to level the playing field with inclusive gating criteria that are clear and not overly restrictive to ensure that entities of all types and sizes can participate. To safeguard against bias and collusion, the Corporation will ensure fairness with a review and scoring process that is transparent, objective, systematic and grounded in data, and consistent with the Act. The Corporation will establish and clearly communicate evaluation criteria, which will be included in the RFP for the Process (see Section 2.4.2 for further details on scoring and evaluation criteria); and will ensure that they are applied consistently to all proposers.

To safeguard against conflicts of interest and arbitrary decision making, the Corporation will require evaluators to disclose any conflicts of interest, asking them to recuse themselves if needed. The Corporation will create a scoring committee to evaluate proposals.

Competitive. The Deployment Subgrantee Selection Process will be competitive. To ensure this, the Corporation will post the RFP on its web page and the web page of the Division of Purchasing, send emails to relevant contacts to inform prospective proposers of the Deployment Subgrantee Selection Process, and advertise the RFPs it will issue as part of the Deployment Subgrantee Selection process in advance to ensure maximum visibility and time to respond (e.g., via the Corporation’s website, via widely circulated newspaper(s) and/or trade journal(s)). The Corporation has designed the RFP for the Deployment Subgrantee Selection Process with reasonable timelines to allow all proposers to construct quality proposals. Additionally, the Corporation will provide all proposers with the same information and has also selected and established secondary evaluation criteria so as not to favor or unfairly advantage one proposer over another.

Selection Objectives

The overall design of the process for Selection of Deployment Subgrantees will follow the following overarching objectives, which are separate from, but align with, the goals set out in Section 2.1 for Rhode Island’s BEAD Program:

- **Fulfilling BEAD Funding Requirements.** Namely, establishing a fair, open, equitable, and competitive selection process to ensure that adequate safeguards are in place to protect the integrity of the competition, including safeguards against collusion, bias, conflicts of interest, arbitrary decisions, and other factors that could undermine confidence in the process.
- **Adhering to BEAD Funding Priorities.** BEAD funding requires that unserved Broadband Serviceable Locations (BSLs) be prioritized first, followed by underserved BSLs second, and CAIs third. The Corporation will adhere to this required funding prioritization and is committed to ensuring that unserved and

underserved BSLs will be allocated BEAD funding before CAIs or non-deployment projects.

- **Affordability Through Cost Savings.** The Corporation will seek to minimize the cost of design, construction, and operations to provide the most affordable service to all end users. To the extent that it is financially feasible, proposers will design, construct, and operate the network so as to optimize the cost of services and offset overall costs.
- **Speed To Deployment.** Proposers shall achieve the earliest date of operations that is consistent with reliable and high-quality design and construction processes.
- **Life-Cycle Asset Management.** Proposers shall optimize life cycle costs related to design, build, finance, operate and maintain functions over the term of the agreement.
- **Risk Balance Transfer.** Proposers shall optimize and transfer lifecycle risks so as to provide Corporation with budget and schedule certainty. This includes the transfer of certain design, construction, matching funding/financing, operations, maintenance, technology, and market risks to the subgrantee so as to provide Corporation with budget and schedule certainty.
- **Integrated Project.** Proposers shall ensure that the project is seamlessly integrated with current infrastructure and delivers public benefits to the community to the greatest extent feasible.
- **Maximize Competition.** The selection process seeks to maximize the number of proposals from qualified vendors in order to best ensure that the Corporation receives the best outcomes from this unprecedented opportunity.
- **Build Inclusive Digital Equity and Environmental Sustainability.** The ConnectRI program shall implement a robust inclusivity program that addresses Federal and State requirements for local, small, minority, women and disadvantaged business enterprise participation while also enhancing environmental sustainability.

Selection Process

The Corporation will follow an RFP process for its Deployment Subgrantee Selection Process for BEAD funding as part of a larger strategy for ensuring accessible, affordable, and equitable broadband for all Rhode Islanders. The Process will start after the approval of Volume 2 of Rhode Island’s Initial Proposal by NTIA and the completion of the BEAD Challenge process.

Definitions

To ease understanding of the Selection Process, relevant terms described in greater detail in Section 2.4.6 are defined below.

- **Project Area Units (PAUs)** are contiguous, indivisible geographic units defined by the Corporation and comprise the unserved BSLs and underserved BSLs (and CAIs, if enough funding remains) in that geographic area. Subgrantees are required to build to 100% of the BSLs and, if enough funds remain, CAIs in a granted PAU.
- A **Project Area (PA)** is comprised of one or more PAUs (and the BSLs & CAIs contained therein) that a particular proposer plans to serve, as stated in their proposal. PAs are to describe a contiguous set of PAUs or a set of closely proximate PAUs that the proposer plans to serve together using related infrastructure and operations. During the Deployment Subgrantee Selection Process proposers may specify more than one PA within their proposal.
- **Crucial Project Area Units (CPAUs)** are proposer-specified PAUs that are necessary to the proposer’s PA, due to the PAU’s position in the build plan, the economics of the PA, the proximity to pre-existing network assets, or other economic or operational factors. The Corporation expects that proposers would prefer to build first to CPAUs within a given PA and second to other PAUs within the same PA. PAUs not designated as CPAUs will be considered severable from the PA.
- The **Deconfliction Process** describes the mechanism for deconflicting

overlapping proposals to allow for like-to-like comparisons of competing proposals.

Selection Process Steps

The Selection Process will adhere to the following steps:

1. Pre-RFP
2. First RFP Process (“Round One”)
3. Second RFP Process (“Round Two”)
4. Post-RFP Process

Pre-RFP

Finalized list of unserved locations and underserved locations. Once the BEAD Challenge process is complete, the Corporation will develop a final list of BEAD-eligible locations. The results of the Challenge process and the final list of BEAD-eligible locations are subject to NTIA approval. Upon receiving NTIA approval, the Corporation will finalize the Rhode Island Broadband Map, which will include lists of unserved locations and underserved locations. The Corporation will make the Rhode Island Broadband Map and the lists of unserved and underserved locations available to the public. The Corporation will also create a cost estimate for constructing facilities for the final list of unserved locations and underserved locations to determine the approximate amount of residual funding it expects to be available, if any, for funding eligible CAIs. If residual funding is available for eligible CAIs, the Corporation will include CAIs within the list of eligible locations.

Finalized list of Project Area Units (PAUs). Using the finalized list of unserved locations, underserved locations and eligible CAIs, the Corporation will establish and publicize PAUs, as described in Sections 2.4.6-7. Subgrantees

will be required to provide service to all locations within a PAU. Proposers may submit proposals for one or more PAUs.

First RFP process

First RFP issued. The Corporation's first RFP will seek proposals for Priority Broadband Projects ("NTIA has determined that 'Priority Broadband Projects' are those that use end-to-end fiber-optic architecture," BEAD NOFO, pg. 42) for unserved locations, underserved locations, and, if deemed feasible, eligible CAIs.

The Corporation will post the RFP on the Corporation's website and the Division of Purchasing website.

The Corporation will issue a press release to announce the RFP, publicize it on its websites and to subscribers of the Corporation's monthly newsletter via a targeted email campaign. The Corporation will also notify telecommunications providers registered with the Rhode Island Public Utilities Commission and Division of Public Utilities and Carriers and all individuals and organizations that submitted comments on the draft version of this document. Additionally, the Corporation will advertise the RFPs it will issue as part of the Deployment Subgrantee Selection process (e.g., via the Corporation's website, via widely circulated newspaper(s) and/or trade journal(s)).

Shortly after the RFP is issued, the Corporation will host one information session to ensure that all potential proposers have access to the requirements. During this session, the Corporation will provide clarifying guidance to potential proposers on application guidelines and requirements. The Corporation will also answer any questions that potential proposers may have and will publish them in a written Q&A that will be posted on the Corporation's website. Following the publication of the RFP, prospective proposers will have 40 days to respond to each phase of the RFP to form a proposal (a complete timeline of the RFP is available at the end of Section 2.4.1).

Additionally, the RFP will include a provision that permits proposers to submit written questions. The Corporation will post answers to the written questions on their website before the submission deadline, so all proposers have access to the same information prior to submitting their proposals.

Proposers will be required to include the following within their proposals:

- The PAUs which they propose to serve and PAUs they wish to designate as CPAUs (see Section 2.4.6 for further details regarding project areas),
- Information on their financial, operational, managerial, and technical qualifications, certifications, and compliance with minimum requirements (see Sections 2.4.11-17 for details regarding Deployment Subgrantee Qualifications), and
- Information to enable comprehensive evaluation of the proposal based on the stated evaluation criteria (see Section 2.4.2 for Rhode Island's Deployment Subgrantee Selection Criteria).

In the event the Corporation includes CAIs within PAUs, Proposers must submit two plans, one that includes the cost to serve all unserved and underserved locations in a PAU, and one that includes the cost to serve unserved locations, underserved locations, and CAIs in a PAU. Plans to serve CAIs will be evaluated after the Corporation, in its sole discretion, has determined that funding will be available to connect all unserved locations and underserved locations in the state.

First RFP Submission Deadline & Evaluation. All proposals will be due 40 days after the RFP is released. The Corporation will have 45 days to review and select complete and qualified proposals. The Corporation will first evaluate all proposals for completeness. Proposals that are deemed complete will be evaluated against the gating criteria (see 2.4.2) and required minimum qualifications (see 2.4.11-17). Proposals that comply with the gating criteria and minimum qualifications will be scored against the scoring rubric detailed in Section 2.4.2. Based on its assessment of the scoring rubric, the Corporation will award subgrants to proposals with the greatest number of points.

If two or more proposals overlap in footprint, the Corporation will adhere to the deconfliction process as detailed in Section 2.4.6. The Corporation will conduct the deconfliction process during the 45-day review and selection phase.

Following the selection of preferred proposer(s), the Corporation reserves 15 days for negotiations with the preferred proposer(s), if required.

Final award determinations are subject to approval by NTIA during the approval of the RI's BEAD Final Proposal.

While the Corporation intends to set the Extremely High Cost Per Location Threshold (EHCPLT) in the Second RFP Process as described below and in Sections 2.4.9-10, the Corporation reserves the right to set an EHCPLT in the First RFP process to maximize the use of fiber to as many unserved and underserved locations as possible, while simultaneously ensuring all unserved and underserved locations are connected.

Second RFP process

Revise available PAUs and funding levels. At the conclusion of the first RFP process, the Corporation will revise the list of available PAUs, based on those that were not awarded in the first RFP process, and determine the amount of residual BEAD funding available. The Corporation will also review the list of available PAUs that did not receive bids; and may decide to further subdivide PAUs to break out undesirable locations, such as prohibitively expensive locations, to ensure that at least part of the PAU will be served via priority technologies (see Sections 2.4.6-7 for further details regarding Project Areas). The finalized list of remaining PAUs and their unserved locations, underserved locations, and, if deemed feasible, eligible CAIs will be released on or before the day the second RFP is issued.

Establish EHCPLT. Prior to issuing the Second RFP, the Corporation will also establish an EHCPLT. As described in Sections 2.4.9-10, the Corporation will

perform a thorough optimization assessment and analysis to guarantee the EHCPLT will be set at the maximum possible value so as to ensure the objectives of (1) universal high-speed broadband service, (2) deploying as much fiber as possible, and (3) using the BEAD funding efficiently.

Second RFP issued. The Corporation will issue the Second RFP 95 days after the First RFP is issued. This RFP will include the EHCPLT and will be open to proposals for Priority Broadband Projects or Other Last-Mile Broadband Deployment Projects for unserved locations, underserved locations, and, if deemed feasible, eligible CAIs.

The Corporation will post the RFP on the Corporation's website and the Division of Purchasing website.

The Corporation will issue a press release to announce the RFP, publicize it on its websites and to subscribers of the Corporation's monthly newsletter via a targeted email campaign. The Corporation will also notify telecommunications providers registered with the Rhode Island Public Utilities Commission and Division of Public Utilities and Carriers and all individuals and organizations that submitted comments on the draft version of this document. Additionally, the Corporation will advertise the RFPs it will issue as part of the Deployment Subgrantee Selection process (e.g., via the Corporation's website, via widely circulated newspaper(s) and/or trade journal(s)).

Shortly after the RFP is issued, the Corporation will host one information session to ensure that all potential proposers have access to the requirements. During this session, the Corporation will provide clarifying guidance to potential proposers on application guidelines and requirements. The Corporation will also answer any questions that potential proposers may have and will publish them in a written Q&A that will be posted on the Corporation's website. Following the publication of the RFP, prospective proposers will have 40 days to respond to each phase of the RFP to form a proposal (a complete timeline of the RFP is available at the end of Section 2.4.1).

Additionally, the RFP will include a provision that permits proposers to submit written questions. The Corporation will post answers to the written questions on their website before the submission deadline, so all proposers have access to the same information prior to submitting their proposals.

Proposers will be required to include the following within their proposals:

- The PAUs which they propose to serve and PAUs they wish to designate as CPAUs (see Section 2.4.6 for further details regarding project areas),
- Information on their financial, operational, managerial, and technical qualifications, certifications, and compliance with minimum requirements (see Sections 2.4.11-17 for details regarding Deployment Subgrantee Qualifications), and
- Information to enable comprehensive evaluation of the proposal based on the stated evaluation criteria (see Section 2.4.2 for Rhode Island's Deployment Subgrantee Selection Criteria).

In the event the Corporation includes CAIs within PAUs, Proposers must submit two plans, one that includes the cost to serve all unserved and underserved locations in a PAU, and one that includes the cost to serve unserved locations, underserved locations, and CAIs in a PAU. Plans to serve CAIs will be evaluated after the Corporation, in its sole discretion, has determined that funding will be available to connect all unserved locations and underserved locations in the state.

Second RFP Submission Deadline & Evaluation. All proposals will be due 40 days after the RFP is released. The Corporation will have 40 days to review and select complete and qualified proposals. The Corporation will first evaluate all proposals for completeness. Proposals that are deemed complete will be evaluated against the gating criteria (see 2.4.2) and required minimum qualifications (see 2.4.11-17). Proposals that comply with the gating criteria and minimum qualifications will be scored against the scoring rubric detailed in Section 2.4.2. Based on its assessment of the scoring rubric, the Corporation will award subawards to proposals with the greatest number of points.

If two or more proposals overlap in footprint, the Corporation will adhere to the deconfliction process as detailed in Section 2.4.6. The Corporation will conduct the deconfliction process during the 40-day review and selection phase.

Following the selection of preferred proposer(s), the Corporation reserves 15 days for negotiations with the preferred proposer(s), if required. The Corporation will evaluate all Priority Broadband Project proposals that meet the EHCPLT. For PAUs without proposals for Priority Broadband Projects that meet the EHCPLT, the Corporation will evaluate proposals for Other Last-Mile Broadband Deployment Projects. (Other Last-Mile Broadband Deployment Projects are any projects that are not “Priority Broadband Projects.” “Priority Broadband Projects” are “those that use end-to-end fiber-optic architecture.” See BEAD NOFO, page 42.)

Final award determinations are subject to approval by NTIA during the approval of the RI’s BEAD Final Proposal.

Post-RFP Process

At the conclusion of the second RFP process, the Corporation will identify any remaining PAUs with eligible unserved locations and/or underserved locations. The Corporation may negotiate directly with proposers that participated in the First RFP and/or the Second RFP to build out to these remaining PAUs. Such negotiations may provide proposers with inducements, which may include permission to use non-priority technologies and/or reducing/relaxing some requirements or utilizing other state funding to fulfill the match requirements on an exceptional basis.

Selection Process Timeline Summary

The tentative timeline for the Deployment Subgrantee Selection Process – which will

start after the State-administered Challenge Process finishes and NTIA approval of Volume 2 of the Initial Proposal, and conclude prior to the submission deadline of the BEAD Final Proposal – is reflected in the following table:

<i>Phase</i>	<i>Start</i>	<i>Duration</i>	<i>End</i>
Pre-RFP Preparation	Day 1	10 days	Day 10
Finalized list of unserved & underserved locations	Day 1	10 days	Day 10
Finalized list of PAUs	Day 1	10 days	Day 10
Draft and finalize RFP	Day 1	10 days	Day 10
First RFP Process	Day 10	100 days	Day 110
First RFP issued	Day 10	40 days	Day 50
First RFP submissions due	Day 50		
First RFP review, deconfliction, and selection	Day 50	45 days	Day 95
First RFP negotiations	Day 95	15 days	Day 110
Second RFP Process	Day 95	105 days	Day 200
Revise available PAUs and funding levels	Day 95	10 days	Day 105
Establish EHCPLT	Day 95	10 days	Day 105
Second RFP issued	Day 105	40 days	Day 145
Second RFP submissions due	Day 145		
Second RFP review, deconfliction, and selection	Day 145	40 days	Day 185
Second RFP negotiations	Day 185	15 days	Day 200
Post RFP Process	Day 185	30 days	Day 215

The RFP announcement and guidance will be posted in a timely manner on the Corporation’s website and the Division of Purchasing’s website prior to RFP issuance, for both the First and Second RFPs. Revising available PAUs and funding levels, establishing the EHCPLT, and issuing the Second RFP will partially run in parallel with the negotiations with successful proposer(s) task of the First RFP. The negotiations component of the Second RFP Process will partially run in parallel with the Post RFP process.

2.4.2 Project Prioritization and Scoring

Describe how the prioritization and scoring process will be conducted and is consistent with the BEAD NOFO requirements on pages 42 – 46.

Rhode Island has an absolute preference for fiber-to-the-premises (FTTP) as the optimal communications infrastructure (in “determin[ing] that ‘Priority Broadband Projects’ are those that use end-to-end fiber-optic architecture,” NTIA has demonstrated a preference for the use of end-to-end fiber-optic infrastructure. See BEAD NOFO, pg. 42). The Corporation’s first RFP of the Deployment Subgrantee Selection and Scoring Process will be for Priority Broadband Projects only. In the second RFP, the Corporation will establish an EHCPLT and accept proposals for Priority Broadband Projects and Other Last-Mile Broadband Deployment Projects (see Sections 2.4.9-10 for further details on the EHCPLT).

Prior to scoring proposals, proposers must submit materials for completion to meet the Corporation’s gating criteria. These criteria describe the minimum qualifications or representations/certificates a proposer must meet to have their proposal evaluated by the Corporation. When appropriate, proposers may submit information to simultaneously demonstrate they meet the gating criteria and for evaluation within the scoring process.

The table below summarizes the Corporation’s gating criteria:

Gating Criteria Category	Gating Criteria Category	Reference Section
Financial Capability	Qualifications for Financial Obligations	2.4.11.a
Financial Capability	Letter of Credit	2.4.11.b
Financial Capability	Audited Financial Statements	2.4.11.c
Financial Capability	Required Business Plans and Financial Analysis	2.4.11.d
Managerial Capability	Resumes for Key Personnel	2.4.12.a
Managerial Capability	Readiness to Manage Proposed Projects	2.4.12.b
Technical Capability	Implementation and Credentialed Workforce	2.4.13.a
Technical Capability	Project Management Plan	2.4.13.b
Compliance Evaluation	Compliance with Federal, State, and Local Laws	2.4.14.a

Gating Criteria Category	Gating Criteria Category	Reference Section
Compliance Evaluation	Worker-led Health and Safety Committees	2.4.14.b
Operational Capability	Operational Qualifications	2.4.15.a
Operational Capability	Number of Years of Operation	2.4.15.b
Operational Capability	Compliance with FCC From 477, Rules/Regulations	2.4.15.c
Operational Capability	Operating and Financial Reports for Electric Transmission of Distribution Services	2.4.15.d
Operational Capability	Operational Capabilities of New Entrants	2.4.15.e
Ownership	Supporting Ownership Information	2.4.16.a
Public Funding	Disclosure of Existing & Future Publicly Funded Projects	2.4.17.a
Public Funding	Detailed Information for Existing and Future Publicly Funded Projects	2.4.17.b
Workforce Credential Plan	Detail about the proposers' policies and procedures around ensuring the workforce is credentialed, including whether workforces are unionized or not, subcontracted or directly employed, or trained while on the job.	2.8.2
Minority Inclusion	Recruitment Plan for MBEs, WBEs and Labor Surplus Firms	2.9.1
Climate Change	Climate change mitigation plan and commitment to maintenance and upkeep of network for its useful life (20 years or as otherwise defined by forthcoming NTIA guidance)	2.11.1.IV
Cybersecurity and Supply Chain	Cybersecurity risk management plan and supply chain risk management plan	2.16.4
Certification of Compliance with NTIA regulations	Certification that the Proposers will adhere to all requirements of the BEAD NOFO and other applicable published NTIA regulations (e.g., the forthcoming "Tailoring the Uniform Guidance to the BEAD Program").	N/A

After the Corporation has established that a proposal meets the gating criteria, the Corporation will select proposal using Scoring Criteria. The proposal, subject to the

deconfliction process, with the greatest number of points will be awarded a subgrant.

The Corporation has developed its scoring criteria in compliance with NTIA’s rules, which specify that the primary criteria together must account for at least 75 percent of a proposal’s final score.

The tables below summarize the Corporation’s Scoring Criteria, and associated points, for Priority Broadband Projects and Other Last-Mile Broadband Projects.

Scoring Criteria – Priority Broadband Projects

Scoring Criteria	Weighting: Points	Weighting: Share of Points
Primary Criteria		
Affordability (required by NTIA)	35	33%
Minimal BEAD Program Outlay (required by NTIA)	30	28%
Fair Labor Practices (required by NTIA)	15	14%
Sum of Primary Criteria	80	75%
Secondary Criteria		
Local and Tribal Coordination	7	7%
Equitable Workforce Development and Job Quality	6	6%
ISBE Participation*	6	6%
Community Impact	4	4%
Open Access	2	2%
Speed to Deployment (required by NTIA)	1	1%
Sum of Secondary Criteria	26	25%

* “ISBE”, as defined by Rhode Island laws, means a small business enterprise that is owned and controlled by one or more individuals who are women or minorities as defined by R.I. Gen. Laws § 37-14.1-3 or a small business enterprise that is owned and controlled by one or more individuals with disabilities as defined by R.I. Gen. Laws § 37-2.2-2. To be recognized under these Regulations as an ISBE, the business must be certified as either: a. an MBE by the ODEO; b. a WBE by the ODEO; or c. a Disability Business Enterprise by the Governor’s Commission on Disabilities (see Section 2.6.7 of 220-RICR-80-10-2, Regulations Governing Participation by Small Business Enterprises in State Purchase of Goods and Services and in Public Works Projects).

Scoring Criteria – Other Last-Mile Broadband Projects

Scoring Criteria	Weighting: Points	Weighting: Share of Points
Primary Criteria		
Affordability (required by NTIA)	35	33%
Minimal BEAD Program Outlay (required by NTIA)	30	28%
Fair Labor Practices (required by NTIA)	15	14%
Sum of Primary Criteria	80	75%
Secondary Criteria		
Local and Tribal Coordination	7	7%
Equitable Workforce Development and Job Quality	6	6%
ISBE Participation	6	6%
Speed of Network and Other Capabilities (required by NTIA)	4	4%
Open Access	2	2%
Speed to Deployment (required by NTIA)	1	1%
Sum of Secondary Criteria	26	25%

For each of the scoring criteria, the Corporation has defined the following:

- A description of the criterion,
- The submittal requirements (including relevant documentation, commitments, and/or representations proposers will be asked to provide in their responses to the RFP), and
- The Corporation’s evaluation approach and/or scoring formula/rubric.

The Rhode Island Access to Public Records Act provides an exemption for “[t]rade secrets and commercial or financial information obtained from a person, firm or corporation that is of a privileged or confidential nature.” Therefore, Proposers should label any information that is a trade secrets or commercial or financial information that is of a privileged or confidential nature.


2.4.2.1 Primary Criteria

Primary Criterion #1 (PC#1) – Affordability (35 points)

Description: For both Priority Broadband Projects and Other Last-Mile Broadband Projects, proposers will be able to earn points by showing a commitment to provide the most affordable total price to the customer for 1/1 Gbps service (or, pending NTIA approval, substantially similar service such as 940/880 Mbps) or 100/20 Mbps service, respectively.

Submittal Requirements: The Corporation will require proposers of both Priority Broadband Projects and Other Last-Mile Broadband Projects to adhere to the following requirements:

1. Certify binding commitment to a non-promotional price, as specified by the proposer, for a period to be determined based on NTIA's forthcoming guidance;
2. Proposers are permitted to include annual inflation adjustments based on the annual Personal Consumption Expenditures (PCE) Price Index for services excluding energy and housing, as published by U.S. Commerce Bureau of Economic Analysis;
3. Proposers must commit to offering the same rates to households that receive broadband subsidy or participate in an affordable broadband program and households that do not receive a broadband subsidy or participate in an affordable broadband program;
4. The service costs must be inclusive of all taxes, fees, and charges, with no additional non-recurring costs or fees to the consumer (i.e., no installation or equipment costs);
5. The service must provide typical latency measurements of no more than 100 milliseconds;
6. The service may not be subject to data caps, surcharges, or usage-based throttling, and is subject only to the same acceptable use policies to which

subscribers to all other broadband internet access service plans offered to home subscribers by the participating subgrantee must adhere; 

7. In the event the proposer later offers a lower cost plan and/or a plan with higher speeds at the same price, it will permit subscribers that are subscribed to the service option to upgrade to the new offering at no additional cost; and
8. Per NOFO requirement, “Sustainability Pro Forma Analyses of Proposed Projects,” proposers must submit a business plan and related pro forma or cash flow analyses to substantiate the sustainability of the proposed project, with at least three years of operating cost and cash flow projections post targeted completion of the project. The Corporation expects that the cash flow projections will include, at a minimum, capital and operating cost components and the revenue component, which will be reviewed for reasonableness using available Federal/State cost benchmarks.

Evaluation and Scoring: The Corporation will review for reasonableness all the revenue and cost components of the business plan and cash flow projections. If the Corporation is not satisfied with the proposer’s submittals, it may assign a score of zero points to this evaluation criterion, or request one-time clarifications from proposers in case of lack of sufficient detail. If the clarifications provided are not sufficient, the Corporation may assign a score of zero points for PC#1 (Affordability).

If the Corporation believes the submittals, the Corporation will assign points based on the following approach:

Description	Awarded Points
Proposer(s) with lowest monthly subscription cost	35
Proposer(s) with monthly subscription costs greater than or equal to twice the lowest proposal	0
All other Proposers are awarded points proportionally to the proposal with the lowest monthly subscription costs. For example, a proposal with monthly costs X% higher than the lowest cost proposal will earn points based on following formula: Awarded Points = (1-X%) x 35	Formula-based

Primary Criterion #2 (PC#2) – Minimal BEAD Program Outlay (30 points)

Description: For both Priority Broadband Projects and Other Last-Mile Broadband Projects, proposers will be able to earn points in this section based on the absolute lowest dollar value of BEAD funding that will be required to complete the project in each Project Area Unit, accounting for both total projected cost and the prospective proposer’s proposed match (which must, absent a waiver, cover no less than 25 percent of the project’s total cost).

Submittal Requirements: The Corporation will require proposers of both Priority Broadband Projects and Other Last-Mile Broadband Projects to adhere to the following requirements for PC#2 (Minimal BEAD Program Outlay):

1. Submit, for each PAU, the total projected cost to connect all locations (unserved BSLs, underserved BSLs, and CAIs) within the PAU, the proposed match, and the dollar amount of the BEAD funding requested, computed as the difference between the previous two items;
2. Submit, for each PAU, the total projected cost to connect only unserved and underserved locations within the PAU, the proposed match, and the dollar amount of the BEAD funding requested, computed as the difference between the previous two items;
3. In all cases for each PAU, the match, absent of a waiver, must cover no less than 25 percent of the project cost;
4. Commitment to spend at least 50 percent of the matching funds prior to any distribution of BEAD funds, which will be done on a reimbursable basis per deployment progress milestones achieved by the selected proposer;
5. If given an award, proposers will be required to build the network all the way to the customer’s premises (upon service activation); for example, there will be no additional funding for long driveways. Proposers will be responsible for the cost of all drops and customer premise telecommunications equipment as a condition of receiving funding and will not be allowed to charge residents of locations subsidized by BEAD funding for drops or customer premise

equipment;

6. Certify upon submission of the proposal that they understand their cost commitment is binding, and that the Corporation will not award any additional funds for unexpected costs;
7. Per NOFO requirement “Sustainability / Pro Forma Analyses of Proposed Project”, proposers need to submit a business plan and related proforma or cash flow analysis to substantiate the projected cost to complete the project for each Project Area Unit, which will be reviewed for reasonableness using available federal and state cost benchmarks;
8. A narrative description of the proposer’s approach to the deployment of broadband, including elements such as use of existing infrastructure, access to poles, conduits, easements, or right of ways, existing or planned relationships with contractors and trade partners, and its approach to network design, scalability, and resiliency.

Evaluation and Scoring: The Corporation will review for reasonableness the projected cost to complete the project for each Project Area Unit in conjunction with the business plan, related proforma or cash flow analysis, and narrative. If the Corporation is not satisfied with the proposer’s submittals, it may assign a score of zero points to this evaluation criterion or request one-time clarifications from proposers in case of lack of sufficient detail. If the clarifications provided are not sufficient, the Corporation may assign a score of zero points to this evaluation criterion, PC#2 (Minimal BEAD Program Outlay).

If the Corporation believes the submittals, the Corporation will assign points based on the following approach:

Description	Awarded Points
Proposer(s) with lowest BEAD Outlay	30
Proposers with BEAD Outlays greater than or equal to twice the lowest proposal	0

Description	Awarded Points
<p>All other Proposers are awarded points proportionally to the proposal with the lowest BEAD Outlays. For example, a proposal with outlays X% higher than the lowest proposal will earn points based on following formula: Awarded Points = (1-X%) x 30</p>	<p>Formula-Based</p>

Primary Criterion #3 (PC#3) – Fair Labor Practices (15 points)

Description: For both Priority Broadband Projects and Other Last-Mile Broadband Projects, proposers will be able to earn points in this section by having a demonstrated record of and plans to be in compliance with Federal labor and employment laws. New entrants are permitted to make specific, forward-looking commitments to strong labor and employment standards and protections.

Submittal Requirements: The Corporation will require proposers of both Priority Broadband Projects and Other Last-Mile Broadband Projects to adhere to the following requirements for PC#3 (Fair Labor Practices):

1. Submit documentation to prove past compliance with Federal labor and employment laws:
 - a. A certification from an Officer/Director-level employee (or equivalent) of the proposer, as well as its contractors and subcontractors, evidencing consistent past compliance with Federal labor and employment laws for the preceding three years.
 - b. A narrative description of the proposer’s historical use of contracting and subcontracting arrangements, including staffing plans.
 - c. At least one example of each contractor and subcontractor’s compliance with Federal labor and employment laws in the context of broadband deployment or a similar project in the last three years.
2. Submit written disclosure from the proposer of any instances in which it or its contractors or subcontractors have been found to have violated laws such as the Occupational Safety and Health Act, the Fair Labor Standards Act, or any

other applicable labor and employment laws for the preceding three years;

3. New entrants without a record of labor and employment law compliance will be required to make specific, forward-looking commitments to strong labor and employment standards and protections with respect to BEAD-funded projects;
4. Submit a plan for ensuring compliance with Federal labor and employment laws in the delivery of deployment from proposers, including its contractors and subcontractors. This plan should include:
 - a. Information on applicable wage scales and wage and overtime payment practices for each class of employees expected to be involved directly in the physical construction of the broadband network, and
 - b. Information on how the subgrantee will ensure the implementation of workplace safety protocols, including but not limited to the use of safety committees that are authorized to raise health and safety concerns in connection with the delivery of deployment projects. These protocols should comply with the Occupational Safety and Health Act and the Fair Labor Standards Act.

Evaluation and Scoring: For both Priority Broadband Projects and Other Last-Mile Broadband Projects, the Corporation will assign points based on the following approach:

Description	Maximum Points
Evaluation of past compliance with Federal labor and employment laws, as evidenced by: <ul style="list-style-type: none"> • Certification from an officer of consistent past compliance for the past three years (2 points), • A narrative of historical contracting and subcontracting arrangements (2 points), and • At least one example of each contractor and subcontractor's compliance with Federal labor and employment laws (2 points) 	6
Disclosure of no violations of applicable labor and employment laws in the	3

Description	Maximum Points
preceding three years for the prospective proposer and its contractor(s) and/or subcontractor(s)	
Evaluation of plan for ensuring performance with Federal labor and employment laws that includes: <ul style="list-style-type: none"> • Applicate wages scales (2 points) • Wage and overtime payment practices for each class of employee involved in the network construction and ensure compliance in its own labor and employment practices (2 points) • How the subgrantee will ensure implementation of workplace safety protocols that comply with OSHA and the Fair Labors and Standards Act (2 points) 	6

The Corporation will award points for new entrants without a record of labor and employment law compliance based on its evaluation of the proposer’s specific, forward-looking commitments to strong labor and employment standards and protections with respect to BEAD-funded projects.

2.4.2.2 Secondary Criteria

Secondary Criterion #1 (SC#1) – Local and Tribal Coordination (7 points)

Description: For both Priority Broadband Projects and Other Last-Mile Broadband Projects, proposers will be able to earn points by demonstrating a proven ability to form substantive public-private collaborative partnerships with nonprofits, community organizations, local governments and/or tribal governments, as well as proof of support from nonprofits, community organizations, local governments and/or tribal governments in the proposed project area. Areas of collaboration for public-private partnerships may include planning and delivery of broadband infrastructure, financing deployment of broadband infrastructure, maintenance and operations of broadband infrastructure, knowledge transfer, development of technical or

managerial skills, and/or improvements to the community.

Submittal Requirements: The Corporation will require proposers of both Priority Broadband Projects and Other Last-Mile Broadband Projects to adhere to the following requirements for SC#1 (Local and Tribal Coordination):

1. Submit narrative describing proposer’s experience forming substantive public-private partnerships with nonprofits, community organizations, local governments and/or tribal governments, and at least one example of a recent partnership;
2. Submit letters of support from nonprofits, community organizations, local governments and/or tribal governments with organizations in the proposed project area; and
3. Submit a narrative outlining the partnership plan and how the proposer will keep the partnering nonprofits, community organizations, local governments and/or tribal governments engaged and involved in this project.

Evaluation and Scoring: For both Priority Broadband Projects and Other Last-Mile Broadband Projects, the Corporation will assign points based on the following approach:

Description	Maximum Points
Evaluation of narrative that describes (1) ability to form public-private partnerships, with at least one example of a recent partnership, and (2) partnership and stakeholder engagement plan	2
Evaluation of letters of support for this project from nonprofits, community organization, local governments and/or tribal governments	5

**Secondary Criterion #2 (SC#2) – Equitable Workforce Development and Job Quality
(6 points)**

Description: For both Priority Broadband Projects and Other Last-Mile Broadband Projects, proposers will be able to earn points by demonstrating and proving their commitment to advancing equitable workforce development and job quality objectives.

Submittal Requirements: The Corporation will require proposers of both Priority Broadband Projects and Other Last-Mile Broadband Projects to adhere to the following requirements for SC#2 (Equitable Workforce Development and Job Quality):

1. Certify that they will require their contractors and subcontractors to provide apprenticeships and pre-apprenticeships tied to a Registered Apprenticeship program, joint labor management partnerships, and other high-quality, on-the-job training opportunities, which may include minimum requirements of contractor or subcontractor job hours to be performed by apprentices; and ensuring that such programs lead to employment with wages at rates not less than the rates prevailing on projects and other eligible activities of a similar character in the locality as determined by the Secretary of Labor in accordance with subchapter IV of chapter 31 of title 40, United States Code.
2. Submit narrative supporting proposer’s commitment to offering quality jobs. Proposers will be scored based in part on the extent to which they will deliver on the quality jobs standard.
 - a. A “quality job” is defined as a job that exceeds the local prevailing wage for an industry in the region, includes basic benefits (e.g., paid leave, health insurance, retirement/savings plan), and/or is unionized, and helps the employee develop the skills and experiences necessary to advance along a career path. “Prevailing wage” is defined by the Department of Labor as “the average wage paid to similarly employed workers in a specific occupation in the area of intended employment.” See Economic Development Administration, ARPA Good Jobs Challenge NOFO, EDAHDQ-ARPGJ-2021-2006964, at n. 1, available at <https://www.grants.gov/web/grants/viewopportunity.html?oppld=334720>

3. Submit documentation supporting proposers’ commitment to prioritize hiring local workers. This documentation should include hiring plans highlighting how the proposer will recruit and ensure access to historically underrepresented populations facing labor market barriers. (Underrepresented populations include communities of color, women, and other groups such as persons with disabilities, LGBTQI+ people, disconnected youth, individuals in recovery, individuals with past criminal records, including justice-impacted and reentry participants, serving trainees participating in the SNAP, TANF, and WIC, and veterans and military spouses.)

Evaluation and Scoring: For both Priority Broadband Projects and Other Last-Mile Broadband Projects, the Corporation will assign points based on the following approach:

Description	Maximum Points
Certification that proposer will require contractors and subcontractors to provide Registered Apprenticeships and pre-apprenticeships tied to a Registered Apprenticeship, joint labor management partnership or other high-quality, on-the-job training opportunities	2
Evaluation of narrative supporting a commitment to offering quality jobs, defined as one which “exceeds the local prevailing wage, includes basic benefits (e.g., paid leave, health insurance, retirement/savings plan), and/or is unionized, and helps the employee develop the skills and experiences necessary to advance along a career path	2
Evaluation of narrative detailing approach to prioritize local hiring, as evidenced by documentation such as hiring plans to recruit local workers as well as support career access for historically underrepresented populations	2

Secondary Criterion #3 (SC#3) – ISBE Participation (6 points)

Description: This scoring element is required by the Rhode Island State Legislature. For both Priority Broadband Projects and Other Last-Mile Broadband Projects,

proposers will be able to earn points by committing to the participation of firms owned and controlled by minorities (MBEs), women (WBEs), and small disadvantaged businesses owned and controlled by persons with disabilities (Disability Business Enterprises a/k/a “DisBE”) (collectively, MBEs, WBEs, and DisBEs are referred to herein as ISBEs) in the performance of deployment activities associated to the BEAD Program.

Submittal Requirements: The Corporation will require proposers of both Priority Broadband Projects and Other Last-Mile Broadband Projects to adhere to the following requirements for SC#3 (ISBE Participation):

1. Complete, sign, and submit with their overall proposal in a sealed envelope a MBE, WBE, and/or Disability Business Enterprise Participation Plan for each MBE, WBE and/or Disability Business Enterprise subcontractor/supplier to be utilized on the solicitation.

Evaluation and Scoring: For both Priority Broadband Projects and Other Last-Mile Broadband Projects, the Corporation will assign points based on ISBE Participation Rate.

The calculation of ISBE Participation Rate is as follows:

- I. *ISBE Participation Rate for Non-ISBE Vendors.* The ISBE participation rate for non-ISBE vendors shall be expressed as a percentage and shall be calculated by dividing the amount of non-ISBE vendor’s total contract price that will be subcontracted to ISBEs by the non-ISBE vendor’s total contract price. For example, if the non-ISBE’s total contract price is \$100,000.00 and it subcontracts a total of \$12,000.00 to ISBEs, the non-ISBE’s ISBE participation rate would be 12%.
- II. *ISBE Participation Rate for ISBE Vendors.* The ISBE participation rate for ISBE vendors shall be expressed as a percentage and shall be calculated by dividing the amount of the ISBE vendor’s total contract price that will be subcontracted to ISBEs and the amount that will be self-performed by the ISBE vendor by the ISBE vendor’s total contract price. For example, if the ISBE vendor’s total contract price is \$100,000.00 and it subcontracts a total of

\$12,000.00 to ISBEs and will perform a total of \$8,000.00 of the work itself, the ISBE vendor's ISBE participation rate would be 20%.

The number of points assigned for ISBE Participation Rate will be:

- I. The vendor with the highest ISBE participation rate shall receive the maximum ISBE participation points (6 points).
- II. All other vendors shall receive ISBE participation points by applying the following formula: $[Proposer's\ ISBE\ participation\ rate] / [Highest\ ISBE\ participation\ rate] \times 6\ points$

For example, if Vendor A has the highest ISBE participation rate at 20% and Vendor B's ISBE participation rate is 12%, Vendor A will receive the maximum 6 points and Vendor B will receive 3.6 points ($= 12\% / 20\% \times 6$).

Any Proposer that fails to submit a proposed ISBE Participation Rate or any requested substantiating documentation in a timely manner shall receive zero (0) ISBE participation points.

Secondary Criterion #4a (SC#4a) – Community Impact (4 points) (Priority Broadband Projects)

Description: For Priority Broadband Projects, Community Impact refers to the additional benefits or services that proposers will offer to communities, in the form of incremental non-subsidized locations passed in the PAU by end-to-end fiber optic technology. The Corporation is evaluating this criterion as it seeks to incentivize subgrantees to use their networks to serve as many Rhode Islanders as possible and BEAD-subsidized networks are likely to be proximate to locations that are not eligible for funding. Subgrantees will not be eligible to use BEAD-funding to pass or connect to these additional locations, and incremental spending to pass or connect these locations will not count to the subgrantees' match of at least 25% of eligible BEAD

expenses. Proposers with the commitment to serve the most incremental locations in the PAU with end-to-end fiber will earn maximum points.

Submittal Requirements: For Community Impact, Priority Broadband Project proposers must submit the following materials and information:

1. A list and count of additional locations in the PAU that are not BEAD-eligible that the proposer intends to serve prior to 2028 (proposers may not include locations it already serves or locations it intends to upgrade or overbuild),
2. A network build plan or other evidence that clearly demonstrates that these additional locations will not be subsidized by Rhode Island’s BEAD funds (such plans or evidence may consider use of planned assets, including the BEAD-funded network),
3. A deployment cost analysis and business plan that prove that these additional locations will be economically viable (such analysis may consider use of planned assets, including as the BEAD-funded network),
4. A narrative walk-through describing the incremental build plans and analyses in items 1-3, and
5. Certification that if granted the PAU, the proposer will serve those locations at no additional cost to the State of Rhode Island

Evaluation and Scoring: For Priority Broadband Projects, the Corporation will assign points based on the following approach:

Description	Awarded Points
Proposer(s) with the most incremental end-to-end fiber premises built in the PAU at no incremental cost to the State	4
Proposer(s) with no incremental end-to-end fiber premises built in the PAU	0
All other Proposers are awarded points proportionally to the proposal with the highest incremental premises built. For example, a proposal with X incremental premises will earn points based on following formula: Awarded Points = X / [Number of Incremental Premises in Highest Proposal] x 4	Formula-based

Secondary Criterion #4b (SC#4b) – Speed of Network and Other Capabilities (4 points) (Other Last-Mile Broadband Projects)

Description: For Other Last-Mile Broadband Projects, proposers will be able to earn points by proposing to deploy projects that use broadband technologies that are scalable, affordable, and with longer useful life of the capital asset useful life, for each Project Area Unit.

Submittal Requirements: The Corporation will require proposers of Other Last-Mile Broadband Projects to submit a description of the technology proposed for deployment in the Project Area Unit, the expected download and upload speeds and latency for each eligible location within the PAU, and evidence of the expected speeds and latency for each location (e.g., technical modeling, anticipated network design or architecture, or detailed technical narrative).

Evaluation and Scoring: The Corporation will review for reasonableness all submittals. If the Corporation is not satisfied with the proposer’s submittals, it may assign a score of zero points to this evaluation criterion, or request one-time clarifications from proposers in case of lack of sufficient detail. If the clarifications provided are not sufficient, the Corporation may assign a score of zero points for Speed of Network and Other Capabilities.

If the Corporation is satisfied with the submittals, the Corporation will assign points based on the following approach:

Description	Awarded Points
Hybrid fiber-coaxial using a DOCSIS 3.1 standard or higher	4
Fixed wireless using licensed spectrum	3
Low Earth Orbit (LEO) satellite	1

Secondary Criterion #5 (SC#5) – Open Access (2 points)

Description: The NTIA encourages states to adopt selection criteria promoting proposers’ provision of wholesale open access to last-mile broadband service providers for the life of the network, on fair, equal, and neutral terms to all potential retail providers.

Submittal Requirements: Proposers must submit a narrative describing their plans for open-access of their network. This narrative must include:

1. A statement that either reflects the proposer’s binding commitment to offer open-access or the proposer’s intent not to offer open-access; and a timeline for open-access, if planned, and
2. If the proposer commits to offering open-access:
 - a. A timeline for open-access,
 - b. Proposed wholesale rates and other terms of service,
 - c. A narrative detailing the proposer’s relationship with likely retail service providers, and
 - d. A business plan and related pro forma or cash flow analysis to substantiate the economic viability of an open-access network.

Evaluation and Scoring: The Corporation will review for reasonableness all submittals. If the Corporation is not satisfied with the proposer’s submittals, it may assign a score of zero points to this evaluation criterion, or request one-time clarifications from proposers in case of lack of sufficient detail. If the clarifications provided are not sufficient, the Corporation may assign a score of zero points for SC#5 (Open Access).

If the Corporation is satisfied with the submittals, the Corporation will assign points based on the following approach:

Description	Awarded Points
Commitment and availability of immediate open access of the Proposer’s network	2
Commitment to open access within five years	1

Description	Awarded Points
No plans for open access of the Proposer’s network at any time in the future	0

Secondary Criterion #6 (SC#6) – Speed to Deployment (1 point)

Description: For both Priority Broadband Projects and Other Last-Mile Broadband Projects, proposers will be able to earn points by demonstrating their commitment to provide service for all eligible locations in each Project Unit Area within 48 months from the date the subgrantee is formally contracted with the Corporation.

Submittal Requirements: The Corporation will require proposers of both Priority Broadband Projects and Other Last-Mile Broadband Projects to submit, as part of the Project Management Plan, a project schedule that details activities such as design & engineering, procurement, mobilization, civil works, structural, mechanical, electrical works, or testing and commissioning.

Evaluation and Scoring: For both Priority Broadband Projects and Other Last-Mile Broadband Projects, the Corporation will assign points based on the following approach:

Description	Awarded Points
Service is provided to all eligible locations in the Project Area Unit in less than 48 months after BEAD agreement is executed	1

2.4.2.3 Attachment: Scoring Rubric

As a required attachment, submit the scoring rubric to be used in the subgrantee selection process for deployment projects. Eligible Entities may use the template provided by NTIA, or use their own format for the scoring rubric.

The Corporation’s Scoring Rubric for Priority Broadband and Other Last Mile Deployment Projects is available [here](#).

Scoring Criteria – Priority Broadband Projects (Round 1 & Round 2)

Scoring Criteria	Weighting: Points	Weighting: Share of Points
Primary Criteria		
Affordability (required by NTIA)	35	33%
Minimal BEAD Program Outlay (required by NTIA)	30	28%
Fair Labor Practices (required by NTIA)	15	14%
Sum of Primary Criteria	80	75%
Secondary Criteria		
Local and Tribal Coordination	7	7%
Equitable Workforce Development and Job Quality	6	6%
ISBE Participation	6	6%
Community Impact	4	4%
Open Access	2	2%
Speed to Deployment (required by NTIA)	1	1%
Sum of Secondary Criteria	26	25%

Scoring Criteria – Other Last-Mile Broadband Projects (Round 2 Only)

Scoring Criteria	Weighting: Points	Weighting: Share of Points
Primary Criteria		
Affordability (required by NTIA)	35	33%
Minimal BEAD Program Outlay (required by NTIA)	30	28%
Fair Labor Practices (required by NTIA)	15	14%
Sum of Primary Criteria	80	75%

Scoring Criteria	Weighting: Points	Weighting: Share of Points
Secondary Criteria		
Local and Tribal Coordination	7	7%
Equitable Workforce Development and Job Quality	6	6%
ISBE Participation	6	6%
Speed of Network and Other Capabilities (required by NTIA)	4	4%
Open Access	2	2%
Speed to Deployment (required by NTIA)	1	1%
Sum of Secondary Criteria	26	25%

2.4.3 Prioritization of Eligible Locations

Describe how the proposed subgrantee selection process will prioritize Unserved Service Projects in a manner that ensures complete coverage of all unserved locations prior to prioritizing Underserved Service Projects followed by prioritization of eligible CAIs.

The Corporation is committed to prioritizing Unserved Service Projects over Underserved Service Projects, and to ensuring that all Unserved Service Projects will receive coverage before Underserved Service Projects are addressed. The Corporation is also committed to ensuring that all Underserved Service Projects will receive coverage before eligible CAIs. The Corporation will prioritize connecting CAIs over non-deployment activities.

Based on the BEAD award and the number of unserved and underserved locations identified within the National Broadband Map, the Corporation believes it will have more than sufficient funds to connect all unserved and underserved locations.

Nonetheless, to ensure sufficient funds remain to connect all unserved and underserved locations, the Corporation will create a cost estimate for constructing facilities to connect all unserved locations and underserved locations. If the Corporation calculates that incremental funds remains after all unserved and

underserved locations are connected, it will include eligible CAIs within its list of BEAD-eligible locations. Should remaining funds be insufficient to connect all eligible CAIs, the Corporation will include only a subset of CAIs within its list of BEAD-eligible locations.

To further ensure that unserved underserved locations are connected, the Corporation will require proposers to submit, for each PAU, the total projected cost to connect all locations (unserved BSLs, underserved BSLs, and CAIs) within the PAU and the total projected cost to connect only unserved and underserved locations within the PAU. This will enable the Corporation to award funds to connect only unserved and underserved locations, should proposals to connect all locations exceed the Corporation's budget.

2.4.4 Non-Deployment Projects

If proposing to use BEAD funds to prioritize non-deployment projects prior to, or in lieu of the deployment of services to eligible CAIs, provide a strong rationale for doing so. If not applicable to plans, note "Not applicable."

Not Applicable

2.4.5 EHP and BABA Compliance Plans

The proposed subgrantee selection process is expected to demonstrate to subgrantees how to comply with all applicable Environmental and Historic Preservation (EHP) and Build America, Buy America Act (BABA) requirements for their respective project or projects. Describe how the Eligible Entity will communicate EHP and BABA requirements to prospective subgrantees, and how EHP and BABA requirements will be incorporated into the subgrantee selection process.

The Corporation is committed to ensuring that all potential proposers understand that all projects to deploy network facilities must be compliant with EHP and BABA Requirements outlined in the BEAD NOFO. The Corporation and its consultants will undertake efforts to ensure subgrantees adhere to the requirements of Build America, Buy America Act (BABA) and any results of NTIA proposed waiver, the National Environmental Policy Act (NEPA) (42 U.S.C. § 4321 et seq.) and National Historic Preservation Act (NHPA) (54 U.S.C. § 300101 et seq.).

The Corporation will include the requirements for this section in its RFP. With specific reference to BABA compliance efforts, the Corporation and/or its consultants will ensure the following key points are highlighted to proposers:

- Requirements that all iron, steel, manufactured products (including but not limited to fiber-optic communications facilities), and construction materials used in the project or other eligible activities are produced in the United States unless a waiver is granted.
- In determining whether a product is produced in America, proposers must comply with definitions included in Section 70912 of the Build America, Buy America Act (BABA), which provides that a manufactured product is considered produced in the United States if the manufactured product was manufactured in the United States and the cost of the components of the manufactured product that are mined, produced or manufactured in the United States is greater than 55 percent of the total cost of all components of the manufactured product, unless another standard for determining the minimum amount of domestic content of the manufactured product has been established under applicable law or regulation.

- In addition to the provisions above, proposers may not use BEAD funding to purchase or support any covered communications equipment or service, as defined in Section 9 of the Secure and Trusted Communications Networks Act of 2019 (47 U.S.C. § 1608).
- The Infrastructure Act expressly prohibits subgrantees from using BEAD funding to purchase or support fiber optic cable and optical transmission equipment manufactured in the People's Republic of China unless a waiver of this requirement is received from the assistant secretary.

The Corporation recognizes the importance of compliance with BABA, and the need for ongoing monitoring of subgrantees to ensure compliance. The Corporation will ensure proposers are prepared to comply with BABA requirements once further guidance is finalized by NTIA. Documentation related to the requirements for this section will be collected and reviewed by qualified Corporation personnel.

Specific to NEPA and NHPA compliance efforts, the Corporation will ensure the following key points are highlighted to proposers:

- Proposers will be asked to describe how they will comply with applicable environmental and national historical preservation requirements.
- Proposers will be responsible for obtaining all necessary federal level, Rhode Island level, and local governmental permits and approvals necessary for the proposed work to be conducted based on the timeline for implementation for project areas.
- Projects and other eligible activities are expected to be designed so that they minimize the potential for adverse impacts on the environment.

The Corporation recognizes the importance of compliance with NEPA and NHPA noted above and the need for ongoing monitoring of subgrantees to ensure compliance. The Corporation will ensure preparedness for compliance requirements with NEPA and NHPA by:

- Reviewing available materials. The Corporation will require the proposer to review EHP and NEPA resources developed by NTIA and additional guidance in the BEAD NOFO, so the proposer understands the NEPA and NHPA review

processes.

- Sourcing of EHP-focused staff or contractors. The Corporation will require the proposer to demonstrate the readiness of their broadband team to analyze potential environmental impacts. Additionally, the Corporation will require the proposer to designate certain individuals to be specifically responsible for EHP activities; and to outline their responsibilities with regard to EHP and NEPA review. The Corporation will require the proposer to certify that if at any time during the project they do not have the capacity or expertise in-house, they will hire additional staff or contractor support to ensure their broadband team has the appropriate capacity and expertise to manage EHP activities.
- Outlining their approach for EHP activities. The Corporation will require the proposer to provide a narrative outlining their approach to EHP activities. These activities may include, but not be limited to coordinating with other state offices like the Department of Transportation & Development with experience administering federal grants to identify best practices for EHP activities; identifying subcontractors they may engage to support with potential environmental assessments; and sharing best practices for developing a project description that provides enough detail about the potential impacts to the environment to make a preliminary determination about the level of NEPA review required.

Because adhering to these requirements is necessary to participate in any BEAD funding grant rounds, engagement with stakeholders is critical for success. The Corporation will encourage selected proposers to engage with federal, state, and local stakeholders, including:

- Federal agencies. Federal land and resource managing agencies, including but not limited to the National Park Service, the U.S. Fish and Wildlife Service, the Bureau of Land Management, the National Marine Fisheries Service, the U.S. Army Corps of Engineers, the U.S. Coast Guard, the U.S. Forest Service, and others, to understand any restrictions or special conditions that may apply to infrastructure proposed on federal land, or that may impact federally managed resources such as wetlands, threatened or endangered species, navigable waterways and others.

- State and local agencies. State and local agencies that may have a role in EHP requirements, such as the State or Local Historic Preservation Office, as well as state or local agencies that may need to issue their own permits for any proposed projects.

Last-Mile Broadband Deployment Project Areas

2.4.6 Project Area Definition

Describe how the Eligible Entity will define project areas from which they will solicit proposals from prospective subgrantees. If prospective subgrantees will be given the option to define alternative proposed project areas, describe the mechanism for de-conflicting overlapping proposals to allow for like-to-like comparisons of competing proposals.

Definitions

- **Project Area Units (PAUs)** are contiguous, indivisible geographic units defined by the Corporation and comprise the unserved BSLs and underserved BSLs (and CAIs, if enough funding remains) in that geographic area. Subgrantees are required to build to 100% of the BSLs and, if enough funds remain, CAIs in a granted PAU. Further details are below.
- A **Project Area (PA)** is comprised of one or more PAUs (and the BSLs & CAIs contained therein) that a particular proposer plans to serve, as stated in their proposal. PAs are to describe a contiguous set of PAUs or a set of closely proximate PAUs that the proposer plans to serve together using related infrastructure and operations. During the Deployment Subgrantee Selection Process proposers may specify more than one PA within their proposal. Further details are below.
- **Crucial Project Area Units (CPAUs)** are proposer-specified PAUs that are necessary to the proposer's PA, due to the PAU's position in the build plan, the economics of the PA, the proximity to pre-existing network assets, or other economic or operational factors. The Corporation expects that proposers would prefer to build first to CPAUs within a given PA and second to other PAUs within the same PA. PAUs not designated as CPAUs will be considered severable from the PA.
- The **Deconfliction Process** describes the mechanism for deconflicting overlapping proposals to allow for like-to-like comparisons of competing proposals.

Project Area Units

The Corporation will solicit proposals during the Deployment Subgrantee Selection Process for each PAU. Proposers may submit proposals for one or more PAUs. Proposers may specify Project Areas, as defined above.

- The Corporation will define PAUs following the completion of the State-Administered Challenge Process in accordance with NTIA's guidance. The Corporation intends to use boundaries defined by the Census Bureau to delineate the boundaries of PAUs. The Corporation will select the precise unit of measurement for PAUs after the Challenge Process.
- In defining PAUs, the Corporation will endeavor to create areas that:
 - o Will align with previous and ongoing local broadband planning and implementation processes in Rhode Island (see Section 2.2).
 - o Will align with existing approaches taken by ISPs in the State,
 - o Will be capital and operationally efficient by clustering proximate unserved locations, underserved locations, and CAIs,
 - o Will ease permitting barriers,
 - o Will be sufficiently large to attract large ISPs while being sufficiently small to permit the participation of small/new ISPs, and
 - o Will be inclusive of covered populations, as defined by the Digital Equity Act, or other historically marginalized communities.
- The set of PAUs and the BSLs and CAIs therein will be published by the Corporation at or before the beginning of the Deployment Subgrantee Selection process.
 - o The Corporation reserves the right to modify the definitions of PAUs prior to the Second RFP to ensure all eligible locations are served and as many locations as possible are served with end-to-end fiber.
- The PAUs established by the Corporation and the BSLs and CAIs they contain are not up for negotiation; proposers may not submit alternative project area units.
- Proposers must include plans to build to 100% of the identified unserved or underserved BSLs and, if sufficient funds remain, CAIs in each PAU. Proposers will be asked to provide two plans, one with CAIs and another without, for the

Corporation to review in the event CAIs cannot be funded. As mentioned, unserved locations, underserved locations, and CAIs will be prioritized for broadband service in that order. However, CAIs will be included in project area unit definitions to maximize build efficiency for the subgrantee.

Project Areas & Crucial Project Areas

Proposers may designate Project Areas, comprised of one or more PAUs, and identify Crucial Project Area Units within the PAs. The purpose of PAs and CPAUs is to enable proposers to communicate the economic and/or operational factors that impact deployment. The Corporation reserves the right to grant proposers a subset of PAUs within their proposed PA(s), subject to the Deconfliction Process.

As proposers are not permitted to unreasonably or excessively designate PAUs as CPAUs, no more than one-fourth of a project area's PAUs may be designated as a CPAU. CPAUs must be contiguous and indivisible.

Deconfliction Process

The Corporation will grant complete PAs to selected proposers as often as possible; in theory, the efficiencies of having network equipment across contiguous PAUs will result in cost savings, thereby improving a proposer's score in the Deployment Subgrantee Selection process. However, recognizing proposers may have proposed overlapping PAs, the Corporation plans to adhere to the following deconflicting process:

1. The Corporation will first evaluate proposals for each PAU individually. The Corporation will preliminarily award these PAUs based on the Scoring Approach.
2. The Corporation will next consider the following factors to finalize its selection of awards by balancing its desire to minimize costs and ensure universal coverage:

- a. The designation of PAUs as CPAUs:
 - i. Proposers will not be awarded PAUs that are not designated as CPAUs in PAs where the Proposer did not win the CPAU(s)
 - ii. Proposers not awarded CPAUs within a PA will have the option to withdraw their proposal for that PA or submit a revised proposal for that PA without the lost CPAUs. Proposers that submit a revised proposal may do so only once in Round One of the Deployment Subgrantee Selection Process.
- b. The strength of the proposal for the PA as a whole, and
 - i. When comparing PAs from two or more proposers, the Corporation will make its best effort to make a like-for-like comparison between proposed PAs (e.g., comparing costs per location passed/connected, selecting a subset of PAUs within a PA for comparison).
- c. The award of non-competitive PAUs (i.e., any PAU for which there is only one proposal).

2.4.7 Addressing Unmet Needs

If no proposals to serve a location or group of locations that are unserved, underserved, or a combination of both are received, describe how the Eligible Entity will engage with prospective subgrantees in subsequent funding rounds to find internet service providers willing to expand their existing or proposed service areas or other actions that the Eligible Entity will take to ensure universal coverage.

The Corporation anticipates that it will run two RFP rounds for the Deployment Subgrantee Selection Process. If a particular PAU does not receive any interest from proposers after the first round, the Corporation will take the following steps to ensure that all BSLs in Rhode Island are served following the second round:

- Upon completing the first round of the Deployment Subgrantee Selection Process, the Corporation will review the list of PAUs that did not receive bids. The Corporation may decide to further subdivide PAUs to break out

undesirable locations, such as prohibitively expensive locations, to ensure that at least part of the PAU will be served via priority technologies.

- Before the Second RFP, the Corporation will set an EHCPLT (see Sections 2.4.9-10). Locations above this threshold may be served using non-priority technologies.
- Following the conclusion of the Second RFP and after the Corporation has identified the list of unserved and underserved BSLs that have received no proposals, the Corporation will engage directly with potential ISPs (e.g., incumbents, proposers, and nearby internet service providers in the area) to notify them of the outstanding opportunities and to solicit proposals for the remaining underserved and unserved locations.
 - o Such engagement with potential ISPs may include negotiations that provide inducements, which may include permission to use non-priority technologies and/or reducing/relaxing some requirements.

2.4.8 Tribal Government Consent to Deployment

Describe how the Eligible Entity intends to submit proof of Tribal Governments' consent to deployment if planned projects include any locations on Tribal Lands.

The Corporation's engagement with the Narragansett Indian Tribe (Tribe), the only federally recognized tribe in Rhode Island, is ongoing as of the submission of this Initial Proposal. This engagement has included a formal Dear Tribal Leader Letter (sent via certified mail on November 7, 2023) and virtual consultations with the Tribe's Director of Community Planning & Natural Resources and Program Assistant, the last of which occurred on December 6, 2023. Both the Corporation and the Tribe are enthusiastic about coordinating future broadband efforts through BEAD and other programs.

The Corporation notes that there are no unserved or underserved locations, according to the National Broadband Map, in Tribal Lands. However, it is possible that BEAD-eligible locations in Tribal Lands will be identified during the Challenge Process. In the event that BEAD-eligible locations fall within Tribal Lands, the Corporation will

make every reasonable effort to (1) liaise with the Narragansett Indian Tribe to secure written consent for broadband deployment prior to the definition of Project Area Units and prior to the Deployment Subgrantee Selection Process begins, (2) consult with the Narragansett Indian Tribe on the selection of an internet service provider for those locations, and (3) collaborate with the Narragansett Indian Tribe to monitor the activities of subgrantees that win project area units on Tribal lands.

If the Corporation identifies BEAD-eligible locations within Tribal Lands, the Corporation will submit a formal Resolution of Consent to NTIA.

Extremely High Cost per Location Threshold

2.4.9 Extremely High Cost per Location Threshold Identification Process

Identify or outline a detailed process for identifying an Extremely High Cost Per Location Threshold to be utilized during the subgrantee selection process. The explanation must include a description of any cost models used and the parameters of those cost models, including whether they consider only capital expenditures or include operational costs for the lifespan of the network.

Per the BEAD NOFO guidance, the goal in establishing the Extremely High Cost Per Location Threshold is to “[maximize] the use of the best available technology” and deployment of end-to-end fiber projects wherever possible (see BEAD NOFO, pg. 31).

The Corporation will wait until all proposals have been received during the first round of the Deployment Subgrantee Selection Process before establishing an EHCPLT. This will ensure that the State’s limited BEAD funds are used as efficiently as possible to achieve the State’s broadband objectives, including that of universal service. The Corporation may set an EHCPLT prior to or after awarding grants in the first round of the Deployment Subgrantee Selection Process. This approach will enable the Corporation to maximize the use of priority technologies at as many unserved and underserved as possible, while simultaneously ensuring universal access.

To establish the EHCPLT, the Corporation plans to estimate the cost to serve, on an incremental basis, the unserved and underserved locations not awarded after evaluation of proposals submitted in the first round of the Deployment Subgrantee Selection Process. The Corporation will perform a thorough optimization assessment and analysis to guarantee the EHCPLT will be set at the maximum possible value to ensure the objectives of (1) universal high-speed broadband service, (2) deploying as much fiber as possible, and (3) using the BEAD funding efficiently.

For this analysis, the Corporation will use NTIA’s Eligible Entity Planning Tool or other route-based cost optimization planning tool to determine the cost per location to pass the remaining premises with priority broadband. Depending on the amount of remaining funds and premises left over from the first round of funding, this analysis

will help determine how many of the remaining locations can be covered at a reasonable cost by priority broadband technologies. This analysis will also consider the funding needed to serve locations above the EHCPLT with non-priority technologies such as fixed wireless or low Earth orbit (LEO) satellite.

Please note the Corporation does not plan to disclose an EHCPLT – or an expected or estimated EHCPLT – prior to the conclusion of the first round of proposals of the Deployment Subgrantee Selection Process both to both ensure a fair & equitable process and to maximize the likelihood that the State will achieve all its objectives.

2.4.10 Using EHCPLT to Maximize Broadband Reach

Outline a plan for how the Extremely High Cost Per Location Threshold will be utilized in the subgrantee selection process to maximize the use of the best available technology while ensuring that the program can meet the prioritization and scoring requirements set forth in Section IV.B.6.b of the BEAD NOFO. The response must describe:

- a. *The process for declining a subgrantee proposal that exceeds the threshold where an alternative technology is less expensive.*
- b. *The plan for engaging subgrantees to revise their proposals and ensure locations do not require a subsidy.*
- c. *The process for selecting a proposal that involves a less costly technology and may not meet the definition of Reliable Broadband.*

The Corporation is committed to satisfying the BEAD NOFO guidance of providing service with the most robust, affordable, and scalable technologies feasible under Rhode Island’s unique circumstances. The State will seek to provide broadband access to as many unserved and underserved areas as possible with fiber prior to examining alternative technologies. The Corporation foresees a small number of projects that will be deemed unable to leverage Reliable Broadband Services below the EHCPLT due to fiber being cost prohibitive. The Corporation anticipates such projects to be concentrated on off-grid or island locations, due to the State’s highly

coastal nature. In these cases, after ensuring all other service options have been depleted, the Corporation will seek proposals with alternative, non-priority deployment approaches/technologies to serve the remaining unserved BSLs. The Corporation envisions this to occur after the first round of proposals and after it establishes an EHCPLT.

As per the BEAD NOFO, a technology that does not meet the Reliable Broadband Service definition must still, at a minimum, be capable of providing service of 100/20 Mbps and latency less than or equal to 100 milliseconds at a lower cost. (The term “Reliable Broadband Service” means broadband service is accessible to a location via: (i) fiber-optic technology; (ii) Cable Modem/ Hybrid fiber-coaxial technology; (iii) digital subscriber line (DSL) technology; or (iv) terrestrial fixed wireless technology utilizing entirely licensed spectrum or using a hybrid of licensed and unlicensed spectrum. See BEAD NOFO, page 15). The Corporation intends to leave open the opportunity for competing proposals where this is the case and where no technology meeting the definition of Reliable Broadband Service would be deployable for an amount of subsidy that is less than the EHCPLT.

Deployment Subgrantee Qualifications

2.4.11 Financial Capability Evaluation

Describe how the Eligible Entity will ensure prospective subgrantees deploying network facilities meet the minimum qualifications for financial capability as outlined on pages 72 – 73 of the BEAD NOFO. If the Eligible Entity opts to provide application materials related to the BEAD subgrantee selection process, the Eligible Entity response may reference those to outline alignment with requirements for this section. The response must:

- a. Detail how the Eligible Entity will require prospective subgrantees to certify that they are qualified to meet the obligations associated with a Project, that prospective subgrantees will have available funds for all project costs that exceed the amount of the grant, and that prospective subgrantees will comply with all Program requirements, including service milestones. To the extent the Eligible Entity disburses funding to subgrantees only upon completion of the associated tasks, the Eligible Entity will require each prospective subgrantee to certify that it has and will continue to have sufficient financial resources to cover its eligible costs for the Project until such time as the Eligible Entity authorizes additional disbursements.
- b. Detail how the Eligible Entity plans to establish a model letter of credit substantially similar to the model letter of credit established by the FCC in connection with the Rural Digital Opportunity Fund (RDOF).
- c. Detail how the Eligible Entity will require prospective subgrantees to submit audited financial statements.
- d. Detail how the Eligible Entity will require prospective subgrantees to submit business plans and related analyses that substantiate the sustainability of the proposed project.

The Corporation will review the qualifications of proposers described in the RFP responses and will ensure that all proposers seeking to deploy network facilities meet the minimum qualifications for financial capability outlined in the BEAD NOFO.

The Corporation will communicate the requirements for this section to all potential

proposers via the RFP process. The Corporation will include all requirements in the RFP instructions, in addition to the grant agreement terms and conditions, and monitoring requirements. Proposers will be required to submit their qualifications as part of their proposal in response to the Corporation's RFP.

a. Required Qualifications for Financial Obligations

The Financial Capability will be evaluated from the financial data submitted by Proposers in the RFP process. The Corporation will review typical financial health indicators such as audited financial statements (submitted per Section 2.4.11c below) including debt to equity/leverage, liquidity ratios, average revenues in the past three years, and profit levels in the past three years. For mitigating project completion risks, the ability of the subgrantee to pay liquidated damages in the event of implementation delays would also be assessed.

The Corporation will require proposers to certify that they: 1. are qualified to meet the obligations associated with their Project; 2. will have available funds for all project costs that exceed the amount of the grant; and 3. will comply with all BEAD Program requirements, including service milestones. The certification will cover fund availability over the implementation period. Furthermore, before every grant disbursement request, the Corporation will evaluate the usage of the grants disbursed previously.

After proposers are selected, the Corporation will continuously monitor the project progress, funds usage and subgrantee's financial capability and will require each subgrantee to certify that it has and will continue to have sufficient financial resources to cover its eligible costs for the Project until the Corporation authorizes additional disbursements.

b. Required Model Letter of Credit

Under the NOFO, the Corporation will establish a model letter of credit similar to the

model letter of credit established by the FCC in connection with the Rural Digital Opportunity Fund (RDOF). The Corporation will require proposers to submit a letter from an eligible bank (see 47 C.F.R. § 54.804(c)(2)) in which the bank commits to issuing an irrevocable standby letter of credit to the proposer. The letter must include the dollar amount of the letter of credit and the issuing bank's agreement to adhere to the Corporation's model letter of credit terms and conditions. Before executing any subgrantee agreements, each proposer must obtain an irrevocable standby letter of credit, which the Corporation deems acceptable, and amounts to no less than 25 percent of the subaward amount. An opinion letter from its legal counsel must be included with the letter of credit stating, subject only to customary assumptions, limitations and qualifications, that in a proceeding under Title 11 of the United States Code, 11 U.S.C. § 101 et seq. (the "Bankruptcy Code"), the bankruptcy court would not treat the letter of credit or proceeds of the letter of credit as property of the subgrantee's bankruptcy estate under Section 541 of the Bankruptcy Code.

The Corporation understands that the Letter of Credit requirement might affect MBE/WBE entities more than others. To reduce the negative impact on MBEs/WBEs, the Corporation will adopt NTIA's BEAD Letter of Credit Waiver, published on November 1, 2023. As articulated by NTIA's conditional programmatic waiver, the Corporation will:

- Allow Credit Unions to Issue Letter of Credit. The NOFO requires subgrantees to obtain a letter of credit from a U.S. bank with a safety rating issued by Weiss of B- or better. The waiver permits proposers to fulfill the letter of credit requirement (or any alternative permitted under the waiver) utilizing any United States credit union that is insured by the National Credit Union Administration and that has a credit union safety rating issued by Weiss of B- or better.
- Allow Use of Performance Bonds. The waiver permits a proposer to provide a performance bond equal to 100% of the BEAD subaward amount in lieu of a letter of credit, provided that the bond is issued by a company holding a certificate of authority as an acceptable surety on federal bonds as identified in the Department of Treasury Circular 570. The Rhode Island Little Miller Act,

under Rhode Island General Laws 37-12, regulates payment and performance bonds for state-level public works and construction works.

- Allow to Reduce the Obligation Upon Completion of Milestones. The waiver allows the Corporation to reduce the amount of the letter of credit obligation below 25% over time or reduce the amount of the performance bond below 100% over time, upon a proposer fulfilling deployment milestones specified by the Corporation.
- Allow for an Alternative Initial Letter of Credit or Performance Bond Percentage. The NOFO requires that the initial amount of the letter of credit be 25% of the subaward (or the initial amount of the performance bond be 100% of the subaward under the option described above). The waiver allows the initial amount of the letter of credit or performance bond to be 10% of the subaward amount during the entire period of performance when the Corporation issues funding on a reimbursable basis consistent with Section IV.C.1.b of the NOFO and reimbursement is for periods of no more than six months each. See: <https://broadbandusa.ntia.gov/funding-programs/policies-waivers/BEAD-Letter-of-Credit-Waiver>

c. Required Audited Financial Statements

The Corporation will require each proposer to include in their proposal financial statements from the prior year that are audited by an independent certified public accountant. If the proposer has not been audited during the ordinary course of business, in lieu of submitting audited financial statements, it must submit unaudited financial statements from the prior year and certify that it will provide financial statements from the prior fiscal year that are audited by an independent certified public accountant prior to disbursement of the grant amount. The Corporation will not approve or disburse any grant for the deployment or upgrading of network facilities unless it is determined that the documents submitted demonstrate the proposer's financial capability with respect to the proposed project.

d. Required Business Plans and Financial Analysis

The Corporation will require that each proposer submit business plans and related pro forma or cash flow analyses that substantiate the financial sustainability of the proposed project. The business plans may include, but not be limited to the following: Executive Summary; Project Description; Capital Costs; Operating and Maintenance Costs; Implementation Schedule; Financial Analysis Justifying Proposed User Rates; Technical and Operational Plan; Risk Assessment; etc.

The financial analysis should include at least three years of operating cost and cash flow projections post targeted completion of the project. The Management Team section will include pertinent resumes of key staff along with a matrix illustrating the skills and roles of lead staff with accompanying business plan deliverables.

The Corporation will assess and evaluate business plans and related financial analyses to ensure that the proposer's plan is technically feasible and financially viable, and the team has the appropriate capacity and expertise.

2.4.11.1 Optional Attachment: Draft Application Materials

As an optional attachment, submit application materials related to the BEAD subgrantee selection process, such as drafts of the Requests for Proposals for deployment projects, and narrative to crosswalk against requirements in the Deployment Subgrantee Qualifications section.

Not applicable.

2.4.12 Managerial Capability Evaluation

Describe how the Eligible Entity will ensure any prospective subgrantee deploying network facilities meets the minimum qualifications for managerial capability as outlined on pages 73 – 74 of the BEAD NOFO. If the Eligible Entity opts to provide application materials related to the BEAD subgrantee selection process, the Eligible

Entity response may reference those to outline alignment with requirements for this section. The response must:

- a. Detail how the Eligible Entity will require prospective subgrantees to submit resumes for key management personnel.
- b. Detail how it will require prospective subgrantees to provide a narrative describing their readiness to manage their proposed project and ongoing services provided.

The Corporation will review the qualifications of proposers through the RFP responses and will ensure that all proposers seeking to deploy network facilities meet the minimum qualifications for managerial capability outlined in the BEAD NOFO.

The Corporation will communicate the requirements for this section to all potential proposers via the RFP process. The Corporation will include all requirements in the RFP instructions, in addition to the grant agreement terms and conditions, and monitoring requirements. Proposers will be required to submit their qualifications as part of their proposal in response to the Corporation's RFP.

a. Resumes for Key Personnel Requirement

The resumes of key personnel provided by the subgrantee are expected to represent various areas such as design and construction management, financing, marketing, operations, maintenance, and general management. Their experience will be evaluated based on the relevance to their proposed roles in future projects. Some criteria for evaluating the personnel include:

- Total years of relevant experience and track record,
- Number of years of experience with the subgrantee,
- Experience with several projects similar in scope to that of the Project and details of such Projects,
- Existing capacity to undertake the Project, and

- Staffing plans and organizational charts to evaluate proposed capability.

b. Readiness to Manage Proposed Project Requirements

The Corporation will require all proposers to provide a narrative describing their readiness to manage their proposed project and ongoing services to be provided. This narrative should include at a minimum:

- *Proof of experience and track record.* Proposers must provide a key personnel narrative that describes relevant qualifications of key management personnel proposed to support this project. They will be required to submit detailed resumes along with a narrative explanation of the given role and responsibilities. The Corporation will be looking for: proof of experience undertaking projects of similar size and scope in general, and also specifically in Rhode Island and / or the selected Project Areas being bid for; qualifications of key personnel in successfully managing engineering, design, construction, operations and maintenance of similar projects with proof of quality of services delivered to end users using reference checks; experience and capacity in recruiting and training engineering, design and construction labor; and experience including the presence of personnel, processes, and systems to respond to network performance impairments or outages.
- *Proof of existing capacity.* Proposers must describe their ability and experience to manage a broadband services network; and proof that they have the capacity to complete the project given its other projects and existing workload. Proposers will be asked to include recent and upcoming organizational changes and relevant organizational policies. The Corporation will evaluate the capacity of the subgrantee to manage the project in addition to their already existing project obligations.
- *Proof of current managerial capability.* Additionally, the Corporation will require a project organizational chart(s) and corporate relationships chart detailing all parents, subsidiaries, and affiliates. The Corporation will also require a roles/responsibility matrix illustrating how the skills of key staff align with Project deliverables; including upcoming organizational changes; and any

relevant organizational policies. The Corporation will require a staffing plan for key personnel and will evaluate the number of persons available on the full-time and part-time basis to manage the project, their proposed commitment, and their number relative to the overall staff size of the proposed subgrantee.

2.4.13 Technical Capability Evaluation

Describe how the Eligible Entity will ensure any prospective subgrantee deploying network facilities meets the minimum qualifications for technical capability as outlined on page 74 of the BEAD NOFO. If the Eligible Entity opts to provide application materials related to the BEAD subgrantee selection process, the Eligible Entity response may reference those to outline alignment with requirements for this section. The response must:

- a. *Detail how the Eligible Entity will require prospective subgrantees to certify that they are technically qualified to complete and operate the Project and that they are capable of carrying out the funded activities in a competent manner, including that they will use an appropriately skilled and credentialed workforce.*
- b. *Detail how the Eligible Entity will require prospective subgrantees to submit a network design, diagram, project costs, build-out timeline and milestones for project implementation, and a capital investment schedule evidencing complete build-out and the initiation of service within four years of the date on which the entity receives the subgrant, all certified by a professional engineer, stating that the proposed network can deliver broadband service that meets the requisite performance requirements to all locations served by the Project.*

The Corporation will review the qualifications of proposers through the RFP responses and will ensure that all proposers seeking to deploy network facilities meet the minimum qualifications for technical capability outlined in the BEAD NOFO.

As needed, the Corporation will develop predetermined standards of technical capabilities that correspond to industry standards, the BEAD NOFO and best practices. The Corporation may source the assistance of the Rhode Island Board of

Registration for Professional Engineers, Rhode Island Society of Professional Engineers, and the National Society of Professional Engineers (NSPE) to ensure outreach methods and overview of requirements are adequately provided to all proposers.

a. Technical Qualifications for Implementation and Credentialed Workforce

The proposer will be evaluated on their project management and project financing experience, Design-Build experience, and broadband infrastructure operations and maintenance experience. The proposer will be required to provide a narrative explaining how their experience translates into value in the context of the Project and Project Area(s) being bid.

The Corporation will first seek a detailed organizational narrative explaining the proposed structure of the proposer's team and the role of each key entity (both prime contractors and key subcontractors) including joint venture partners and consultants. The proposer's qualifications should provide details of similarly sized projects completed by the subgrantee in the last five to 10 years to demonstrate overall technical qualifications of the proposer. In describing similar projects completed by the subgrantee, the Corporation will consider any projects completed for the Corporation, the State of Rhode Island, any local government agency of Rhode Island or any projects completed for other public sector or private sector owners. If any projects have been implemented in other unserved and underserved areas of the country, those may be sought as well.

For a proposer who is a current broadband provider, the Corporation will require details on the products and services, operations, total subscriber count, type of services (business/residential), local presence in the region and other markets served including demonstrating any similar agreements with municipalities, electric utilities or other public-private partnerships.

For all the project phases including design, construction, and operations, the Corporation will require proposers to provide details on all the different types of technical staff required along with information on their training and credentials.

The Corporation will require proposers to certify that they are technically qualified to complete and operate the Project; and that they are capable of fulfilling funded activities in a competent manner, including that they will use an appropriately skilled and credentialed workforce.

In addition to the certification, proposers will be asked to provide additional documentation:

- Documentation of current licensing with governing bodies to operate in Rhode Island;
- Attestation of current Rhode Island licensing for any engineers who certify network design, diagrams, project costs, etc.; and
- Demonstration of experience designing and delivering projects of similar size, complexity, and timeline.

b. Proposed Project Management Plan Requirement

The Corporation will require proposers to submit a network design, diagram, project costs, build out timeline and milestones for project implementation; and a capital investment schedule evidencing that within four (4) years of the date on which they receive the subgrant: the complete build-out of the Project, and the initiation of service all certified by a professional engineer (PE), stating that the proposed network can deliver broadband service that meets the requisite performance requirements to all locations served by the Project.

Deployment subgrantee will be required to submit all documentation around their Project Management Plan. This will include, but not be limited to:

- *Project network and schedule.* Project's network design criteria, network design, architecture, protocols, diagram, and timeline including key milestones for project implementation, preparations, and risk factors. These key milestones include, but are not limited to contracting, engineering, pole licensing and make-ready permitting construction and connections. The

proposer's plan to manage any time overruns and delays due to unforeseen factors will need to be identified.

- *Capital investment schedule.* The Corporation will also require the proposer to provide a capital investment schedule showing complete build-out and initiation of service within four (4) years of the date on which the proposer receives the subgrant. The schedule will detail various cost components such as design, engineering, procurement, mobilization, civil works, structural, mechanical, electrical works, testing, and commissioning.
- *Project costs.* The Corporation will also require the proposer to provide a project budget. The project budget must include Total Project Area Costs, Total Federal Grant Request, Total Cash Matching Funds, Total In-Kind Matching Funds, Total Matching Funds (Cash and In-Kind) and Total Matching Funds as a percentage of Total Project Costs.
- *Operations and maintenance plan.* Proposers will be required to describe how the technology system is to be safely operated daily. The plan will contain a comprehensive description of the technology system's resources, daily routine operational and maintenance procedures.
- *Procurement management.* The Corporation will also require the proposers to identify key procurement items (materials, equipment, or labor) that are on the critical path and may delay the project implementation.
- *Risk management.* Proposers will be required to identify all potential risks to their projects and how they intend to mitigate these risks.
- *Project health, safety, security, and environmental management.* In accordance with the laws, subgrantees would be required to comment on the health, safety, security, and environmental management practices in their project areas.

2.4.14 Compliance Evaluation

Describe how the Eligible Entity will ensure any prospective subgrantee deploying network facilities meets the minimum qualifications for compliance with applicable laws as outlined on page 74 of the BEAD NOFO. If the Eligible Entity opts to provide

application materials related to the BEAD subgrantee selection process, the Eligible Entity response may reference those to outline alignment with requirements for this section. The response must:

- a. Detail how the Eligible Entity will require prospective subgrantees to demonstrate that they are capable of carrying out funded activities in a competent manner in compliance with all applicable federal, state, territorial, and local laws.
- b. Detail how the Eligible Entity will require prospective subgrantees to permit workers to create worker-led health and safety committees that management will meet with upon reasonable request.

The Corporation will review the qualifications of proposers through the RFP responses and will ensure that all proposers seeking to deploy network facilities meet the minimum qualifications for compliance with applicable laws outlined in the BEAD NOFO.

a. Compliance with Federal, State and Local Laws

The Corporation will require proposers to demonstrate that they are capable of carrying out funded activities in a competent manner in compliance with all applicable Federal, State and local laws. To do this, the Corporation will require proposers to provide a detailed history of compliance with all applicable federal, state, and local laws for previous broadband projects funded by federal and state programs, including disclosure of any default on any federal or state obligation associated with grants for broadband deployment. The Corporation will also require the proposer to provide evidence of current compliance policies and procedures for applicable federal, state, and local laws.

The Deployment Subgrantee Selection process will include an exhaustive list of areas where applicable laws need to be taken care of while implementing any BEAD funded project. The list will include but not be limited to:

- Potential environmental impacts, as required by the National Environmental Policy Act (NEPA) and the National Historic Preservation Act for compliance

with applicable environmental and national historical preservation requirements.

- Usage of fiber-optic communications facilities, equipment and construction materials used in the project as per the Build America, Buy America Act (BABA).
- Restrictions on buying equipment from a specified country.
- Worker safety as per Occupational Safety and Health Administration (OSHA) regulations and/or other applicable safety regulations.
- Minimum wage, overtime, and non-discrimination as per Department of Labor and/or other applicable labor regulations.
- Construction contract/subcontract specific legislation including anti-indemnity statutes, prompt payment acts, lien statutes and retainage statutes.
- Local licensing and permitting requirements.
- Contracting with Minority Businesses Enterprises (MBEs) and Women's Business Enterprises (WBEs).
- Applicable Procurement rules and regulations.

The Corporation follows Rhode Island law pertaining to procurement methods, which are meant to encourage competitive proposals and ensure that the state does not unfairly advantage or disadvantage any vendor. The Corporation will work to incorporate existing federal, state, and local requirements and procedures; and to develop new policies, if and where needed. Additionally, the Corporation will review and implement guidance from NTIA's Subgrantee Selection Primer as needed.

b. Worker-led Health and Safety Committees

The Corporation will require proposers to permit workers to create worker-led health and safety committees that management will meet upon reasonable request. To meet this requirement, the Corporation will require proposers to provide evidence of policies and procedures that allow for the formation of worker-led health and safety committees that management will meet upon reasonable request. The Corporation will compare this information with best practices on working with labor groups, including those found in NTIA Internet For All: Workforce Planning Guide. Additionally, the Corporation will require certification of this compliance in quarterly fiscal and progress reports throughout the project.

The Corporation will also require proposers to submit documentation on any workplace safety violations resulting in a citation in the past three years; and access to workplace safety manuals that govern the proposer's work and work environment during all stages of a project, namely engineering, design, permitting, environmental review, construction/splicing, testing, provisioning, and ongoing support of the broadband infrastructure.

2.4.15 Operational Capability Evaluation

Describe how the Eligible Entity will ensure any prospective subgrantee deploying network facilities meets the minimum qualifications for operational capability as outlined on pages 74 – 75 of the BEAD NOFO. If the Eligible Entity opts to provide application materials related to the BEAD subgrantee selection process, the Eligible Entity response may reference those to outline alignment with requirements for this section. The response must:

- a. *Detail how the Eligible Entity will require prospective subgrantees to certify that they possess the operational capability to qualify to complete and operate the Project.*
- b. *Detail how the Eligible Entity will require prospective subgrantees to submit a certification that they have provided a voice, broadband, and/or electric transmission or distribution service for at least two (2) consecutive years prior*

to the date of their application submission or that they are a wholly owned subsidiary of such an entity and attest to and specify the number of years the prospective subgrantee or its parent company has been operating.

- c. Detail how the Eligible Entity will require prospective subgrantees that have provided a voice and/or broadband service, to certify that it has timely filed Commission Form 477s and the Broadband DATA Act submission, if applicable, as required during this time period, and otherwise has complied with the Commission's rules and regulations.*
- d. Detail how the Eligible Entity will require prospective subgrantees that have operated only an electric transmission or distribution service, to submit qualified operating or financial reports, that it has filed with the relevant financial institution for the relevant time period along with a certification that the submission is a true and accurate copy of the reports that were provided to the relevant financial institution.*
- e. In reference to new entrants to the broadband market, detail how the Eligible Entity will require prospective subgrantees to provide evidence sufficient to demonstrate that the newly formed entity has obtained, through internal or external resources, sufficient operational capabilities.*

The Corporation will review the qualifications of proposers through the RFP responses and will ensure that all proposers seeking to deploy network facilities meet the minimum qualifications for operational capability outlined in the BEAD NOFO.

a. Required Operational Qualifications

The Corporation will require proposers to certify that they possess the operational capability to qualify to complete and operate the project. To do this, during prequalification, the Corporation will require proposers to provide operational details including, but not limited to:

- Years providing internet service;
- Types of internet service provided;

- Current subscribers, including households, businesses, and community anchor institutions;
- Description of previous experience in operating and managing a utility-based infrastructure network including details of households and population served.
- Description of industry experience with broadband and telecommunications infrastructure operation and management;
- Experience of working with municipal agencies to develop affordable pricing or packages for key community stakeholders and populations;
- Details of key business entities/partners/subcontractors used in operating and management of the network;
- Completed federally funded deployment projects, including their sources of funding and timeframes for completion (or non-completion);
- Penalties paid by the proposer, any subsidiary or affiliate of the proposer or the holding company of the proposer relative to deployment projects;
- The number of times proposer has ever been a defendant in the State of Rhode Island for a criminal proceeding or civil litigation related to the deployment or operation of a broadband infrastructure; and
- Whether a proposer has ever defaulted on a federal or state obligation to deploy broadband infrastructure and if so, to provide details.

b. Required Number of Years in Operation

The Corporation will require the proposer to submit a certificate that they have provided a voice, broadband and/or electric transmission or distribution service for at least two (2) consecutive years prior to the date of their proposal submission, or that it is a wholly owned subsidiary of such an entity. The certificate provided by the proposer must attest to and specify the number of years that proposer or its parent company has been operating. The Corporation will also seek documentation that evidences the total years of operational experience.

In the case of public-private partnerships, only one entity needs to provide this certification.

Entities with less than two years of operation can demonstrate operational capability based on the guidelines enumerated below in “Required Operational Capabilities of New Entrants.”

c. Required Compliance with FCC Form 477, Rules and Regulations

For proposers that have provided voice and/or broadband service, the Corporation will require the proposer to certify via a checkbox timely filing of Commission Form 477 and the Broadband DATA Act submission, if applicable during this timeframe.

The Corporation will also require the proposer to certify via a checkbox that it has complied with the Commission’s rules and regulations. In case of pending or completed enforcement action, civil litigation, or other matter in which they failed to comply or were alleged to have failed to comply with the Commission’s rules and regulations, the proposer should submit an explanation.

d. Required Operating and Financial Reports for Electric Transmission of Distribution Services

For proposers who have operated only an electric transmission or distribution service, the Corporation will require the proposers to submit a qualified operating and/or financial reports for the last three (3) years they have filed with the relevant financial institution for the relevant time period. Along with this, the Corporation will require the proposer to submit certification that the submission is a true and accurate copy of the reports provided to the relevant financial institution.

e. Required Operational Capabilities of New Entrants

For new entrants to the broadband market, the Corporation will require proposers to provide sufficient evidence to demonstrate that the newly formed entity has sufficient operational capabilities that it has developed or obtained through internal or external resources. This evidence may include, but not be limited to:

- Resumes from key personnel who will be part of the new entity;
- Project descriptions and narratives from contractors, subcontractors or other partners with relevant operational experience who will be part of the new entity;
- Experience of operating non-broadband networks and infrastructure;
- Availability of physical assets including office space, vehicles, equipment, etc. that will assist the proposer to provide services;
- Capabilities transferable from non-broadband networks to broadband networks; and
- Any other comparable data or evidence.

2.4.16 Ownership Qualification

Describe how the Eligible Entity will ensure that any prospective subgrantee deploying network facilities meets the minimum qualifications for providing information on ownership as outlined on page 75 of the BEAD NOFO. If the Eligible Entity opts to provide application materials related to the BEAD subgrantee selection process, the Eligible Entity response may reference those to outline alignment with requirements for this section. The response must detail how the Eligible Entity will require prospective subgrantees to provide ownership information consistent with the requirements set forth in 47 C.F.R. § 1.2112(a)(1)-(7).

The Corporation will review the qualifications of proposers through the RFP responses and will ensure that all proposers seeking to deploy network facilities meet the minimum qualifications for ownership outlined in the BEAD NOFO. The Corporation will ensure that proposers seeking to deploy network facilities are thoroughly vetted and meet the minimum qualifications for providing information on ownership as outlined in the BEAD NOFO and consistent with the requirements set forth in 47 C.F.R. § 1.2112(a)(1)-(7).

a. Required Supporting Ownership Information

Proposers will be required to submit the relevant ownership information listed below as required by 47 C.F.R. § 1.2112(a)(1)-(7):

1. List the real party or parties in interest in the proposer or proposal, including a complete disclosure of the identity and relationship of those persons or entities directly or indirectly owning or controlling (or both) the proposer;
2. List the name, address, and citizenship of any party holding 10 percent or more of stock in the proposer, whether voting or nonvoting, common or preferred, including the specific amount of the interest or percentage held;
3. List, in the case of a limited partnership, the name, address and citizenship of each limited partner whose interest in the proposer is 10 percent or greater (as calculated according to the percentage of equity paid in or the percentage of distribution of profits and losses);
4. List, in the case of a general partnership, the name, address and citizenship of each partner, and the share or interest participation^x in the partnership;
5. List, in the case of a limited liability company, the name, address, and citizenship of each of its members whose interest in the proposer is 10 percent or greater;
6. List all parties holding indirect ownership interests in the proposer as determined by successive multiplication of the ownership percentages for each link in the vertical ownership chain, that equals 10 percent or more of the proposer, except that if the ownership percentage for an interest in any link in the chain exceeds 50 percent or represents actual control, it shall be treated and reported as if it were a 100 percent interest; and
7. List any FCC-regulated entity or proposer for an FCC license, in which the proposer or any of the parties identified in paragraphs (1) through (5) above, owns 10 percent or more of stock, whether voting or nonvoting, common or preferred. This list must include a description of each such entity's principal

business and a description of each such entity's relationship to the proposer (e.g. Company A owns 10 percent of Company B (the proposer) and 10 percent of Company C, then Companies A and C must be listed on Company B's proposal, where C is an FCC licensee and/or license proposer).

2.4.17 Public Funding Disclosure

Describe how the Eligible Entity will ensure any prospective subgrantee deploying network facilities meets the minimum qualifications for providing information on other public funding as outlined on pages 75 – 76 of the BEAD NOFO. If the Eligible Entity opts to provide application materials related to the BEAD subgrantee selection process, the Eligible Entity response may reference those to outline alignment with requirements for this section. The response must:

- a. *Detail how it will require prospective subgrantees to disclose for itself and for its affiliates, any application the subgrantee or its affiliates have submitted or plan to submit, and every broadband deployment project that the subgrantee or its affiliates are undertaking or have committed to undertake at the time of the application using public funds.*
- b. *At a minimum, the Eligible Entity shall require the disclosure, for each broadband deployment project, of: (a) the speed and latency of the broadband service to be provided (as measured and/or reported under the applicable rules), (b) the geographic area to be covered, (c) the number of unserved and underserved locations committed to serve (or, if the commitment is to serve a percentage of locations within the specified geographic area, the relevant percentage), (d) the amount of public funding to be used, (e) the cost of service to the consumer, and (f) the matching commitment, if any, provided by the subgrantee or its affiliates.*

The Corporation will review the qualifications of proposers through the RFP responses and will ensure that all proposers seeking to deploy network facilities meet the minimum qualifications for disclosure of publicly funded projects outlined in the BEAD NOFO.


a. Disclosure of Existing and Future Publicly Funded Projects

The Corporation will require each proposer to disclose, for itself and for its affiliates any proposal they have submitted or plan to submit, and every broadband deployment project they are undertaking or have committed to undertake at the time of the proposal using public funds. Public funds include, but are not limited to funds provided under: the Families First Coronavirus Response Act (Public Law 116- 127; 134 Stat. 178); the CARES Act (Public Law 116-136; 134 Stat. 281); the Consolidated Appropriations Act, 2021 (Public Law 116-260; 134 Stat. 1182); the American Rescue Plan of 2021 (Public Law 117-2; 135 Stat. 4); the Federal Universal Service Fund high-cost program (e.g., RDOF, CAF); or State or local universal service or broadband deployment funding program.

b. Detailed Information for Existing and Future Publicly Funded Projects

The Corporation will require the proposer to provide a list of publicly funded projects both under development as well as contemplated in the next three (3) years. As some of the data may be commercially sensitive, the Corporation will maintain strict confidentiality around such data. For each of these projects, the Corporation will require the proposer to disclose:

- The speed and latency of the broadband service to be provided (as measured and/or reported under the applicable rules);
- The geographic area to be covered;
- The number of unserved and underserved locations committed to serve (or, if the commitment is to serve a percentage of locations within the specified geographic area, the relevant percentage);
- The amount, types, and conditions associated with each public funding to be used;
- The cost of service to the consumer;
- The matching commitment, if any, provided and to be provided by the proposer or its affiliates;
- The ownership structure of the network;

- The support provided by the public agency in the project implementation; and
- The project partners, including Contractors, Suppliers, Consultants, and others. 

2.5 Non-Deployment Subgrantee Selection (Requirement 9)

2.5.1 Fair, Open and Competitive Subgrantee Selection

Describe a fair, open, and competitive subgrantee selection process for eligible non-deployment activities. Responses must include the objective means, or process by which objective means will be developed, for selecting subgrantees for eligible non-deployment activities. If the Eligible Entity does not intend to subgrant for non-deployment activities, indicate such.

The Corporation intends to spend the majority of its BEAD funds on broadband deployment activities. If remaining BEAD funds are available, the Corporation will determine how it will use those funds after the conclusion of the Deployment Subgrantee Selection Process. In the interim, please see below (Section 2.5.2) a list of potential activities that Rhode Island is interested in conducting pending the availability of remaining funds after serving all unserved and underserved locations.”

The Corporation intends to procure most, if not all, of the non-deployment activities, unless they are related to an ongoing activity managed by the Corporation (e.g., community engagement to increase enrollment in ACP). However, the Corporation will retain the right to conduct activities itself after the Deployment Subgrantee Selection Process, should funds remain.

The Corporation intends to design and implement a fair, open, and competitive selection process for non-deployment activities in line with the BEAD NOFO and listed below:

- Implementation of the Corporation’s digital equity plans (to supplement, but not to duplicate or supplant, Planning Grant funds received by the Corporation in connection with the Digital Equity Act of 2021). Such activities may include:
 - o Broadband sign-up assistance and programs that provide technology support,
 - o Multi-lingual outreach to support adoption and digital literacy,

- Digital navigators,
 - User training with respect to cybersecurity, privacy, and other digital safety matters,
 - Digital literacy/upskilling (from beginner-level to advanced),
 - Computer science, coding, and cybersecurity education programs,
 - Prisoner education to promote pre-release digital literacy, job skills, online job acquisition skills, and other digital literacy benefits, or
 - Remote learning or telehealth services/facilities.
- Installing internet and Wi-Fi infrastructure or providing reduced-cost broadband within a multi-family residential building, with priority given to a residential building that has substantial share of unserved households or is in a location in which the percentage of individuals with a household income that is at or below 150 percent of the poverty line applicable to a family of the size involved is higher than the national percentage of such individuals.
 - Affordable internet programs, including programs to provide affordable internet-capable devices.
 - Broadband-related training and workforce development.
 - Direct subsidies for use toward broadband subscription, where the Corporation shows the subsidies will improve affordability for the end user population (and to supplement, but not to duplicate or supplant, the subsidies provided by the Affordable Connectivity Program).
 - Costs associated with stakeholder engagement, including travel, capacity-building, or contract support.
 - Other allowable costs necessary to carrying out programmatic activities of an award, not to include ineligible costs described in Section V.H.2 of the NOFO.

The Corporation is committed to a fair, open, and competitive subgrantee selection process for non-deployment activities. The State of Rhode Island is well versed with effective and transparent utilization of federal grants and has resources to address matters related to collusion, bias, conflicts of interest, arbitrary decisions, and other

factors that could undermine confidence in the process.

The following is a brief summary of the process that the Corporation envisions for the selection of non-deployment activities:

- Pre-solicitation planning and development of Request for Proposals (RFP) package. The Corporation will develop an RFP that could include at a minimum: (i) goals and objectives, (ii) list of eligible non-deployment activities, (iii) eligibility criteria, (iv) submission instructions and timeline, (v) evaluation factors/ scoring criteria, (vi) evaluation process, and (vii) federal and state award guidelines. As the RFP package is being developed, the Corporation will post the pre-launch of the RFP process for non-deployment activities on its website prior to RFP issuance, as well as through the Corporation's monthly newsletters, email distribution lists, or other channels. Effort will be made to ensure that organizations of underrepresented communities and minorities-owned businesses are made aware of the grant opportunity; through its existing stakeholder engagement and digital equity efforts, the Corporation will reach out to relevant partners to inform them of non-deployment opportunities funded through BEAD.
- Launch of RFP. The RFP will be publicly posted on the Corporation's website and the website for the Division of Purchasing and responses will be due at least thirty (30) days after the RFP is posted so prospective proposers have sufficient time to participate. The Corporation will also make public announcements of the RFP through its website, email distribution lists (including proposers in the deployment selection process), press releases, social media public postings, and channels of partners. The Corporation may also promote the RFP through newspaper or other advertisements.
- Evaluation and scoring. The Corporation will establish an evaluation committee, which will evaluate and score proposals, in accordance with evaluation factors or scoring criteria defined in the RFP. Members of the evaluation committee will be asked to certify, amongst other things, compliance with conflict-of-interest standards and confidentiality. Membership in the evaluation committee may be comprised of Corporation

representatives, subject matter experts, community stakeholders or other relevant roles as determined by the Corporation.

- *Selection and notice.* The Corporation will ensure that the selection of non-deployment activities is transparent and will publish the list of awarded proposers on its website. An appeals process, consistent with state law, will be in place to allow proposers to protest an award decision.

2.5.2 Non-Deployment Initiatives

Describe the Eligible Entity's plan for the following:

- a. *How the Eligible Entity will employ preferences in selecting the type of non-deployment initiatives it intends to support using BEAD Program funds.*
- b. *How the non-deployment initiatives will address the needs of residents within the jurisdiction.*
- c. *The ways in which engagement with localities and stakeholders will inform the selection of eligible non-deployment activities.*
- d. *How the Eligible Entity will determine whether other uses of the funds might be more effective in achieving the BEAD Program's equity, access, and deployment goals.*

The Corporation is not yet able to determine if it will have sufficient funds to engage in non-deployment activities after completing deployment activities to achieve universal coverage. The Corporation's preliminary plan for non-deployment activities, should it have the ability to implement them, is described below.

Non-Deployment Initiative Selection Prioritization

The Corporation intends to prioritize the type of initiatives it will select based on the following considerations:

- Return on investment for the state and its residents: the initiative will have a generational impact on residents of the Commonwealth and will address the

- digital divide in a sustainable manner.
- Alignment to state economic development priorities: the non-deployment initiative addresses a component of the digital divide beyond access to broadband infrastructure that is supported by data from the forthcoming Rhode Island Digital Equity Plan as well as the state's Comprehensive Economic Development Strategy.
 - Degree of innovation: the non-deployment initiative addresses an aspect of the digital divide without a current solution or supplements an existing solution in an innovative manner.
 - Capacity and experience: organizations in the prospective pool of proposers generally have the experience and organizational capacity necessary to administer a potentially significant program.

Non-Deployment Programs Addressing Constituent Needs

Non-deployment initiatives will address a broad range of needs for both new and long-term broadband subscribers within Rhode Island, including:

- Training in digital skills, computer science, and cybersecurity;
- Access to remote/online services such as learning, telehealth, or reentry programming;
- Supplement activities identified in the upcoming Digital Equity Plan; or
- Direct subsidies for use toward broadband subscription to improve affordability for the end user population.

Stakeholder Input into Non-Deployment Initiative Selection

As described in Section 2.3, which describes the ongoing local coordination efforts and tribal engagement process undertaken by the Corporation, the Corporation is conducting outreach with communities in public settings, community-based organizations, non-profits, ISPs, labor/workforce organizations, municipalities, Tribal governments, and other stakeholders to understand digital needs beyond the deployment of physical infrastructure. In-person and virtual events include

workshops, listening sessions, ACP outreach sessions, and office hours. Additionally, the Corporation has solicited consumer input and community anchor institution input through surveys posted on its website.

The feedback gathered during stakeholder engagement activities will inform the selection or prioritization of non-deployment activities, in coordination with priorities identified in the forthcoming Digital Equity Plan. Additionally, the public comment process for this Initial Proposal will provide insight into the selection or prioritization of non-deployment activities.

Use of Funding for BEAD Equity, Access, and Deployment Goals

The Corporation will allocate BEAD Program funding for non-deployment activities in alignment with the BEAD NOFO — to cover unserved/underserved locations and to deploy symmetrical gigabit connections to CAIs — and the forthcoming Digital Equity Plan. During the implementation period, the Corporation will evaluate the performance of non-deployment funds considering a set of key performance indicators that will be developed considering themes/criteria such as: access, availability, affordability, adoption, equity across geography, equity across population segments, performance versus peers, impact on economic activity, and other criteria as dictated by the Corporation.

2.5.3 Commitment to Broadband Deployment

Describe the Eligible Entity's plan to ensure coverage to all unserved and underserved locations prior to allocating funding to non-deployment activities.

The Corporation is focused on expanding end-to-end high-speed broadband through fiber to as many unserved/underserved locations within Rhode Island as possible, after which the EHCPLT will designate expensive unserved and underserved locations to be served with fixed wireless or alternative technologies. Once all unserved and underserved locations are covered, the Corporation intends to focus on ensuring deployment of symmetric gigabit connections to CAIs.

In the event there are remaining BEAD funds, the Corporation will determine how it will use those funds after the conclusion of the Deployment Subgrantee Selection Process. This section identifies non-deployment activities the Corporation would intend to fund with remaining BEAD funds.

2.5.4 Non-Deployment Subgrantee Evaluation Process

Describe how the Eligible Entity will ensure prospective subgrantees meet the general qualifications outlined on pages 71 – 72 of the BEAD NOFO.

The Corporation is not yet able to determine if it will have sufficient funds to engage in non-deployment activities after completing deployment activities to achieve universal coverage. If the Corporation had sufficient BEAD funds to implement non-deployment activities, it will ensure that proposers meet the three general qualifications below:

- Proposers are capable of carrying out activities in a competent manner in compliance with all applicable federal, Rhode Island, and local laws;
- Proposers have the financial and managerial capacity to meet the commitments and requirements of the BEAD Program and such other requirements as have been prescribed by the Assistant Secretary or the Corporation; and
- Proposers have the technical and operational capability to provide the services promised in the proposal.

In the context of the Non-Deployment Subgrantee Selection Process and for each of the three qualifications defined above, the Corporation intends to define the following parameters. Note that certain numerical thresholds for the minimum standards are indicative placeholders and are subject to change; thresholds will be determined within each specific RFP. The Corporation is committed to designing RFPs that provide access to for-profit, non-profit, and public entities, as well as public-private partnerships.

Compliance with all applicable federal, Rhode Island, and local laws	
Minimum standards to determine compliance	<ul style="list-style-type: none"> - Track record or experience of past performance (e.g., in the last [3] years) complying with all applicable federal, state, and local laws for a minimum of [2] grants/subgrants covering a similar scope of work or funding amount
Methods to determine a proposer meets the necessary standards	<ul style="list-style-type: none"> - Review of case studies or narrative grants/subgrants - Interview client references
Evidence the Corporation will accept	<ul style="list-style-type: none"> - Case study or narrative description of grants/subgrants covering a similar scope of work or funding amount - Client references

Financial and managerial capacity to meet the commitments	
Minimum standards to determine compliance	<p>Managerial:</p> <ul style="list-style-type: none"> - Years of experience of key personnel dedicated to management functions - Track record of successful completion (on time and on budget) of projects funded through federal funding programs <p>Financial:</p> <ul style="list-style-type: none"> - Submission of a detailed budget in compliance with the requirements set forth in the request for proposals - Proposer's financial strength - Proposer's business credit scores
Methods to determine a proposer meets the necessary standards	<ul style="list-style-type: none"> - Review of resumes of key staff and project qualifications - Interview client references - Review of assumptions and methodology to estimate the budget - Review of proposer's audited financial statements and business credit scores

Financial and managerial capacity to meet the commitments	
Evidence the Corporation will accept	<ul style="list-style-type: none"> - Resumes of key staff - Project qualifications - Client references - Estimated budget to deliver the scope of works - Audited financial statements - Corporate/business credit scores

Technical and operational capability to provide the services	
Minimum standards to determine compliance	<ul style="list-style-type: none"> - Years of experience of key personnel dedicated to the delivery of the scope of works - Track record of quality in the delivery of projects of similar size and scope and/or funded through federal funding programs - Understanding of scope of work to be provided
Methods to determine a proposer meets the necessary standards	<ul style="list-style-type: none"> - Review of resumes of key staff and project qualifications - Interview client references - Evaluation workplan and schedule of deliverables
Evidence the Corporation will accept	<ul style="list-style-type: none"> - Resumes of key staff - Project qualifications - Client references - Narrative description of workplan to deliver the project and schedule of deliverables

The Corporation reserves the right to adjust and/or be more or less specific with these parameters to tailor the Non-Deployment Subgrantee Selection Process after the conclusion of the Deployment Subgrantee Selection Process, when it will have more certainty about remaining BEAD funding. The Corporation will seek feedback and approval from NTIA prior to finalizing these adjustments.

2.6 Eligible Entity Implementation Activities (Requirement 10)

2.6.1 Implementation Activities

Describe any initiatives the Eligible Entity proposes to implement as the recipient without making a subgrant, and why it proposes that approach.

As discussed in Requirement 9 (Non-Deployment Subgrantee Selection), the Corporation may have funds remaining after awarding deployment grants for unserved and underserved locations and CAIs. The Corporation expects to subaward most types of non-deployment activities; however, it will implement the following activities directly:

- Data collection, analysis, and mapping to the extent necessary beyond the planning fund allocation to facilitate the goals of the BEAD Program and digital equity plans; and
- Stakeholder engagement, including activities such as publicizing the ACP and outreach to increase enrollment.

2.7 Labor Standards and Protection (Requirement 11)

2.7.1 Required Compliance Materials for Selection

Describe the specific information that prospective subgrantees will be required to provide in their applications and how the Eligible Entity will weigh that information in its competitive subgrantee selection processes. Information from prospective subgrantees must demonstrate the following and must include information about contractors and subcontractors:

- a. Prospective subgrantees' record of past compliance with federal labor and employment laws, which:

 - i. Must address information on these entities' compliance with federal labor and employment laws on broadband deployment projects in the last three years;*
 - ii. Should include a certification from an Officer/Director-level employee (or equivalent) of the prospective subgrantee evidencing consistent past compliance with federal labor and employment laws by the subgrantee, as well as all contractors and subcontractors; and*
 - iii. Should include written confirmation that the prospective subgrantee discloses any instances in which it or its contractors or subcontractors have been found to have violated laws such as the Occupational Safety and Health Act, the Fair Labor Standards Act, or any other applicable labor and employment laws for the preceding three years.**
- b. Prospective subgrantees' plans for ensuring compliance with federal labor and employment laws, which must address the following:

 - i. How the prospective subgrantee will ensure compliance in its own labor and employment practices, as well as that of its contractors and subcontractors, including:

 - 1. Information on applicable wage scales and wage and overtime payment practices for each class of employees expected to be involved directly in the physical construction of the broadband network; and***

2. *How the subgrantee will ensure the implementation of workplace safety committees that are authorized to raise health and safety concerns in connection with the delivery of deployment projects.*

As part of the proposal submitted in the Subgrantee Selection Process, the Corporation will require the following information about records of past compliance with federal labor and employment laws from proposers, including its contractors and subcontractors:

- A certification from an Officer/Director-level employee (or equivalent) of the proposer, as well as its contractors and subcontractors, evidencing consistent past compliance with federal labor and employment laws for the preceding three years;
- Written disclosure from the proposer of all instances in which it or its contractors or subcontractors have been found to have violated laws such as the Occupational Safety and Health Act, the Fair Labor Standards Act, or any other applicable labor and employment laws for the preceding three years;
- Narrative description of the proposer's historical use of contracting and subcontracting arrangements, including staffing plans, and
- At least one example of each contractor and subcontractor's compliance with federal labor and employment laws in the context of broadband deployment or a similar project in the last three years.

New entrants without a record of labor and employment law compliance will be allowed to mitigate this fact by making specific, forward-looking commitments to strong labor and employment standards and protections with respect to BEAD-funded projects.

As part of the proposal submitted in the Subgrantee Selection Process, the Corporation will require the following information about plans – which are binding commitments – for ensuring compliance with federal labor and employment laws from proposers, including its contractors and subcontractors:

- Information on applicable wage scales and wage and overtime payment practices for each class of employees expected to be involved directly in the physical construction of the broadband network,
- A narrative explaining how the subgrantee will ensure the implementation of workplace safety protocols, including but not limited to the use of worker-led health and safety committees that are authorized to raise health and safety concerns in connection with the delivery of deployment projects. These protocols should comply with the Occupational Safety and Health Act and the Fair Labor Standards Act, and
- A narrative explaining how the prospective subgrantee will ensure compliance in its own labor and employment practices, as well as that of its contractors and subcontractors.

The Corporation will give priority to fair labor practices when evaluating proposals. Fair labor practices are a primary criterion within the Corporation’s Scoring Criteria, comprising 15 points out of 106 potential points. As described in Section 2.4.2, the Corporation will assign points based on the following approach for both Priority Broadband Projects and Other Last-Mile Broadband Projects:

Description	Maximum Points
<p>Evaluation of past compliance with Federal labor and employment laws, as evidenced by:</p> <ul style="list-style-type: none"> • Certification from an officer of consistent past compliance for the past three years (2 points), • A narrative of historical contracting and subcontracting arrangements (2 points), and • At least one example of each contractor and subcontractor’s compliance with Federal labor and employment laws (2 points) 	6
<p>Disclosure of no violations of applicable labor and employment laws in the preceding three years for the prospective proposer and its contractor(s) and/or subcontractor(s)</p>	3
<p>Evaluation of plan for ensuring performance with Federal labor and employment laws that includes:</p> <ul style="list-style-type: none"> • Applicate wages scales (2 points) 	6

Description	Maximum Points
<ul style="list-style-type: none"> • Wage and overtime payment practices for each class of employee involved in the network construction (2 points) • How the subgrantee will ensure implementation of workplace safety protocols that comply with OSHA and the Fair Laborers and Standards Act and ensure compliance in its own labor and employment practices (2 points) 	

The Corporation will award points for new entrants without a record of labor and employment law compliance based on its evaluation of the proposer’s specific, forward-looking commitments to strong labor and employment standards and protections with respect to BEAD-funded projects.

2.7.2 Mandatory Labor and Employment Measures for Subgrantees

Describe in detail whether the Eligible Entity will make mandatory for all subgrantees (including contractors and subcontractors) any of the following and, if required, how it will incorporate them into binding legal commitments in the subgrants it makes:

- a. Using a directly employed workforce, as opposed to a subcontracted workforce;
- b. Paying prevailing wages and benefits to workers, including compliance with Davis-Bacon and Service Contract Act requirements, where applicable, and collecting the required certified payrolls;
- c. Using project labor agreements (i.e., pre-hire collective bargaining agreements between unions and contractors that govern terms and conditions of employment for all workers on a construction project);
- d. Use of local hire provisions;
- e. Commitments to union neutrality;
- f. Use of labor peace agreements;
- g. Use of an appropriately skilled workforce (e.g., through Registered Apprenticeships or other joint labor-management training programs that serve all workers, particularly those underrepresented or historically excluded);

- h. Use of an appropriately credentialed workforce (i.e., satisfying requirements for appropriate and relevant pre-existing occupational training, certification, and licensure); and*
- i. Taking steps to prevent the misclassification of workers.*

The Corporation will make mandatory for all subgrantees (including contractors and subcontractors) the following requirements and it will incorporate them into binding legal commitments in the subgrants:

- Paying prevailing wages and benefits to workers, including compliance with Davis-Bacon and Service Contract Act requirements, where applicable, and collecting the required certified payrolls;
- Commitments to union neutrality;
- Use of an appropriately skilled workforce (e.g., through Registered Apprenticeships or other joint labor-management training programs that serve all workers, particularly those underrepresented or historically excluded);
- Use of an appropriately credentialed workforce (i.e., satisfying requirements for appropriate and relevant pre-existing occupational training, certification, and licensure); and
- Taking steps to prevent the misclassification of workers.

The listed labor standard and protection requirements will be evaluated in the subgrantee selection process under a Primary Criterion (Fair Labor Practices); thus, proposers (including contractors and subcontractors) will provide narrative and/or documentation that addresses these items in support of their proposal.

In addition to the proposal, for those requirements the Corporation will make mandatory and a binding legal commitment, Subgrantees (including contractors and subcontractors) will be required to provide annual certificates of compliance.

2.8 Workforce Readiness (Requirement 12)

The impact of BEAD funding on Rhode Island's labor market, more specifically in the state's telecommunications workforce, is expected to start in earnest in 2025-2026 (although some planning activities are likely to occur sooner). The occupations likely to play a key role in BEAD deployments are:

- Equipment operators (including construction equipment, crane, and industrial equipment operators)
- Fiber and wireless technicians (including industrial aerial installers and repairers, radio and base station installers / fiber technicians, splicing and wireless technicians and foremen supervisors)
- Inspectors (including health and safety and permit inspectors)
- Laborers and material movers
- Master and stage electricians
- Network architects and coordinators
- RF & field engineers (including telecommunications hardware designers)
- Software Engineers (including network architects and cybersecurity professionals)
- Structural engineers (including civil and structural engineers, tower engineering technicians)
- Surveyors and drafters (including construction drafters, land surveyors and map makers, and surveying and map technicians)
- Trenchers
- Trucking crews (including supervisors of crane and trucking crews)

Several factors, including those listed below, may impact the availability or access to qualified workforce:

- Type of role: manual (hands-on physical activity), specialized (knowledge of a particular field, technique, or skill), and supervisory (monitoring of daily operations and progress oversight of workflow processes).
- Degree of mobility across states: Higher mobility across states could pose a challenge because the United States is projected to experience a nationwide

worker shortage, and qualified workers may move to states where deployments will be larger and workforce scarce.

- Ability for remote performance: Remote roles could benefit from a greater hiring pool than primarily on-site roles.

The expected outcomes in Rhode Island’s labor market from implementing the BEAD Program are:

- The new demand for jobs anticipated to be created because of BEAD funding in Rhode Island will be around 300 Full Time Employees (FTEs), representing 5% of Rhode Island’s 5,400 FTEs cross-industry deficit (calculated as total workforce supply less total workforce demand).
- The cross-industry workforce deficit for all BEAD occupation groups was estimated at 10%. Trenchers, electricians, equipment operators, surveyors and drafters, and fiber/wireless technicians were the BEAD deployment groups with the greater workforce deficit, between 12-21% of the estimated supply of workforce for each individual occupation group.

The table below summarizes workforce development considerations for those BEAD occupation groups with higher projected workforce deficit in Rhode Island.

BEAD Occupation Group	Projected Workforce Deficit (2026)	Type of Role	Considerations
Trenchers	-21.0%	Manual	<ul style="list-style-type: none"> - Roles required for the construction/delivery of broadband deployment. - Skills could be transferable from other industries due to lower educational requirement; may require certifications or skills training. - Partners to engage include workforce development institutions, apprenticeship programs, unions, Rhode Island Dept. of Labor and Training (RIDLT), and other regional agencies, contractors/employers.
Equipment operators	-12.1%	Manual	
Fiber and wireless technicians	-11.9%	Mostly Manual	

BEAD Occupation Group	Projected Workforce Deficit (2026)	Type of Role	Considerations
Master and stage electricians	-17.8%	Specialized	<ul style="list-style-type: none"> - Roles required for the construction/delivery of broadband deployment. - Skills are likely not transferable from other industries due to high educational requirements or on-the-job training. - Partners to engage include unions, workforce development institutions, apprenticeship programs, RIDLT, and other regional agencies, contractors/ employers.
Surveyors and drafters	-12.0%	Specialized	<ul style="list-style-type: none"> - Roles required for the entire lifecycle of the BEAD Program (planning, design, construction, and maintenance). - Skills are likely not transferable from other industries due to high educational requirements or on-the-job training. - Partners to engage include workforce development institutions, apprenticeship programs, RIDLT and other regional agencies, contractors/ employers.

2.8.1 Equitable Workforce Development and Job Quality

Describe how the Eligible Entity and their subgrantees will advance equitable workforce development and job quality objectives to develop a skilled, diverse workforce. At a minimum, this response must clearly provide each of the following, as outlined on page 59 of the BEAD NOFO:

- a. A description of how the Eligible Entity will ensure that subgrantees support the development and use of a highly skilled workforce capable of carrying out work in a manner that is safe and effective;
- b. A description of how the Eligible Entity will develop and promote sector-based partnerships among employers, education and training internet service

- providers, the public workforce system, unions and worker organizations, and community-based organizations that provide relevant training and wrap-around services to support workers to access and complete training (such as child care, transportation, mentorship, etc.), to attract, train, retain, or transition to meet local workforce needs and increase high-quality job opportunities;*
- c. *A description of how the Eligible Entity will plan to create equitable on-ramps into broadband-related jobs, maintain job quality for new and incumbent workers engaged in the sector; and continually engage with labor organizations and community-based organizations to maintain worker voice throughout the planning and implementation process; and*
- d. *A description of how the Eligible Entity will ensure that the job opportunities created by the BEAD Program and other broadband funding programs are available to a diverse pool of workers.*

A highly skilled workforce is essential in ensuring job seekers have the tools and training they need to be competitive in the telecommunications labor market, while creating a strong talent pool for proposers. The Corporation will collaborate with community, labor, and educational institutions to create a skilled and diverse workforce.

The anticipated increase in overall workforce demand in Rhode Island because of the BEAD Program, around 300 FTEs, is relatively limited. As described in this Section 2.8.1, the Corporation:

- Will use targeted existing programs to advance equitable workforce development and job quality objectives to develop a skilled, diverse workforce;
- Will compile and make available a Subgrantee Information Packet containing information about existing state, federal, union, and community workforce development, training or apprenticeships, and diversity programs, initiatives, and funding;
- Will leverage its existing relationships with internet service providers, unions and workforce groups, municipalities, state offices, and community-based organizations to inform Rhode Island's workforce about BEAD opportunities; and

- Intends to create a Workforce Advisory Council to advise the Corporation on strategic planning, oversight, and evaluation of statewide broadband workforce development, creating a feedback loop with public agencies and industry players to improve workforce readiness coordination and policy.

The proposed Workforce Advisory Council will complement the existing Broadband Advisory Council, which is tasked with advising on broadband-related investment strategies. The Workforce Advisory Council, anticipated to meet quarterly, is expected to include representatives of state organizations (e.g., Rhode Island Department of Labor and Training, Governor’s Workforce Board), municipalities, unions, ISPs, training and workforce development organizations, community-based organizations, as well as subject-matter experts.

Further, the Corporation will define workforce requirements and guidance for subgrantees to ensure that the BEAD Program projects balance worker competence, training, and certifications with a competitive and attractive environment for workers in Rhode Island.

The Corporation is committed to ensuring its Workforce Readiness efforts especially support low-income households, aging populations, incarcerated individuals and people with criminal records, veterans, people with disabilities, people with language barriers, racial and ethnic minorities, and rural inhabitants, as well as other historically marginalized communities.

Ensuring a Highly Skilled and Safe Workforce

The Corporation’s approach to ensuring the use of a highly skilled and safe workforce will include the following activities:

- Use scoring criteria to incentivize equitable workforce development and safe working conditions. For both Priority Broadband Projects and Other Last-Mile Broadband Projects, the Corporation will award 15 points to Fair Labor Practices and 6 Points to Equitable Workforce Development and Job Quality

- *Fair Labor Practices*: Proposers will be able to earn points by describing how they will ensure implementation of workplace safety protocols that comply with OSHA and the Fair Laborers and Standards Act
 - *Equitable Workforce Development and Job Quality*: Proposers will be able to earn points by demonstrating and proving their commitment to advancing equitable workforce development and job quality objectives. Proposers will earn the greatest number of points in this category by providing apprenticeships and pre-apprenticeships tied, on-the-job training opportunities, and helps employees develop the skills and experiences necessary to advance along a career path.
- Collaborate with the Rhode Island Department of Labor and Training (RIDLT) to create BEAD-tailored training opportunities. Flexible job training opportunities offered virtually and onsite can help further develop workers' skills and prepare them for gaining new skills that will help them succeed in today's dynamic workforce environment. RIDLT offers resources to Rhode Islanders who are looking to develop their skills and find employment, such as job boards, free or reduced training programs and apprenticeships, and career advice. RIDLT's Real Jobs Rhode Island, a nationally recognized industry-led workforce training initiative, provides placements, upskilling, and pipelines for future ventures. While RIDLT does not currently have broadband-related initiatives, partners within the Real Jobs RI initiative, such as Building Futures, that offer general construction apprenticeship programs that include occupational health and safety (e.g., OSHA) training, which are likely to be useful to individuals involved in the deployment of broadband. The Corporation is planning to engage with RIDLT to explore collaboration opportunities to develop skills and safety training programs specific to broadband deployment. Should funds remain after the Deployment Subgrantee Selection Process, the Corporation may allocate non-deployment funds to support such skills and training programs in collaboration with RIDLT.
 - Support workforce training programs and apprenticeships. The Corporation will provide support to BEAD-related workforce training programs and

apprenticeships. Such support may include funding (should sufficient non-deployment funds be available), marketing, and curriculum development guidance/expertise.

- The Corporation has engaged with unions like the International Brotherhood of Electrical Workers (IBEW), which offers apprenticeships, to understand how that opportunity can be used by Rhode Islanders for the BEAD program. IBEW specifically has indicated plans for a New England-wide broadband technology apprentice program; the Corporation will continue to work with IBEW to explore ways it can support this apprenticeship program.
- The Corporation has a relationship with Building Futures, a construction industry workforce development collective. Building Futures runs a program in collaboration with RIDLT, Apprentice RI, which helps employers build new apprenticeship programs. Apprenticeship RI has more than 45 active registered apprenticeship programs covering occupations important for BEAD deployment, including network engineers, network technicians, and electricians. The Corporation has started conversations with Building Futures to determine how the Apprenticeship RI program could be applicable to BEAD deployment activities and to identify how the Corporation can support it. At a minimum, the Corporation will help to publicize BEAD-related apprenticeship opportunities from Building Future to the public through its existing network of community partners, including community action agencies, libraries, job centers, and municipalities.
- Encourage subgrantees to access federally funded career services. In the RFP package for the Deployment Subgrantee Selection Process, the Corporation will encourage subgrantees to participate in Federal job readiness programs under the Workforce Innovation and Opportunity Act (WIOA), which are administered in Rhode Island by the Providence/Cranston Workforce Development Board and RIDLT. For example:
 - On-the-Job Training (OJT) program lets employers hire and train skilled


- workers and get reimbursed for those costs; and
- The Incumbent Worker Training Program provides reimbursement for costs on training that supports continuing education and upskilling of incumbent employees of Rhode Island employers.
- Promote higher education programs relevant to the broadband industry. The Corporation is collaborating with the Community College of Rhode Island (CCRI) to explore whether existing academic programs can be tailored or developed to support employment in the broadband industry.
- CCRI has experience creating academic programs to support new investments in Rhode Island. For example, CCRI, in partnership with trade organizations and industry players, recently designed a broad range of academic programs and certificates to develop appropriate technical and safety knowledge suitable for the offshore wind industry, a nascent economic activity in the U.S. and Rhode Island. The Corporation will work with CCRI to determine the feasibility of a similar program for broadband and will advise the College on the development of its curriculum.
 - The Corporation will also engage with New England Technical College and Roger Williams University, which both have construction degree programs and existing relationships with the Corporation, to help connect their students with BEAD subgrantees.

As part of the submission requirements in the Subgrantee Selection Process, the Corporation will require prospective/potential subgrantees to submit a plan demonstrating that their project workforce has appropriate credentials, including pre-existing occupational training, certification, and licensure (see Section 2.8.2).

Partnerships to Meet Workforce Needs and Increase Job Opportunities

The Corporation's approach to developing and promoting sector-based partnerships

to attract, train, retain, or transition employees to meet local workforce needs and increase high-quality job opportunities will include the following activities:

- Connect subgrantees and employees to support (wrap-around) services. The Comprehensive Support Service Directory is a tool sponsored by the Governor’s Workforce Board (GWB) of Rhode Island and developed for the state employment agency and other workforce development network partners to locate and connect with support services and service providers throughout Rhode Island (see the State of Rhode Island’s Governor’s Workforce Board Comprehensive Support Services Directory, March 2022: https://gwb.ri.gov/sites/g/files/xkgbur746/files/2022-08/RICSS_Desk_Guide_March2022_0.pdf and Resources for Real Jobs RI Partners: <https://gwb.ri.gov/resources/partners/real-jobs-ri-partners>). This source of information provides a complete picture of what career resources, assistance, and services are available in the region for jobseekers. The Corporation, in collaboration with workforce development partners, will identify applicable wrap-around services, such as childcare, transportation, mentorship, as well as organizations or programs that provide such services. The Corporation will make this information known to subgrantees, as well as to individuals attending workforce development training programs. The Corporation will also leverage the expertise of its Workforce Advisory Council to identify gaps in wrap-around services and to determine approaches for closing these gaps.
- Collaborate with unions and worker organizations. According to the Bureau of Labor Statistics, 16.1% of Rhode Island’s private and public sector workers were union members in 2022, compared with 10.1% of workers in the United States (US Bureau of Labor Statistics, “Members of union as a percent of employed in the United States and Rhode Island, 2012-22,” US Bureau of Labor Statistics, https://www.bls.gov/regions/northeast/news-release/unionmembership_rhodeisland.htm). These data suggest that a significant portion of the broadband deployment workforce will be unionized.  The Corporation has already established relationships with the International Brotherhood of Electrical Workers and the International Labor union, both of

which represent telecommunication and construction workers in Rhode Island. The Corporation intends to continue regular engagement with these labor groups so as to remain aware of the needs of workers. Further, the Corporation intends to include unions and worker organizations in its Workforce Advisory Council to further inform the Corporation's broadband work.

- Engage with state/regional workforce development initiatives. Real Jobs Rhode Island is a business-led workforce development initiative founded in 2015 and administered by RIDLT. Real Jobs Rhode Island provides placements, upskilling, and pipelines for future ventures. While RIDLT does not currently have broadband-related initiatives, partners within the Real Jobs RI initiative, such as Building Futures, offer general construction apprenticeship programs that include occupational health and safety (e.g., OSHA) training, which are likely to be useful to individuals involved in the deployment of broadband. The Corporation is planning to engage with RIDLT, Building Futures, and Real Jobs Rhode Island, to explore collaboration opportunities to develop skills and safety training programs specific to broadband deployment. Should funds remain after the Deployment Subgrantee Selection Process, the Corporation may allocate non-deployment funds to support such skills and training programs in collaboration with RIDLT. The Corporation also intends to develop a relationship with Rhode Island Women in the Trades, a non-profit that delivers a pre-apprenticeship program to get women ready for a career in construction (see RI Women in the Trades, <https://www.riwomeninthetrades.org/>).

Creating Equitable On-Ramps to Broadband Jobs, Maintaining Job Quality, and Maintaining Worker Voice

The Corporation intends to undertake the following activities to create equitable on-ramps, maintain job quality for new and incumbent workers, and maintain worker voice throughout the BEAD implementation process:

- Create a Workforce Advisory Council, inclusive of unions, worker organizations, ISPs, public agencies (e.g., Rhode Island Department of Labor and Training, Governor’s Workforce Board), training and workforce development organizations, community-based organizations, and subject matter experts. The proposed Workforce Advisory Council will complement the existing Broadband Advisory Council, which is tasked with advising on broadband-related investment strategies. The Workforce Advisory Council will discuss ways to improve working conditions on BEAD projects, provide resources and training opportunities, and provide a conduit for workers and the broader community to liaise with subgrantees and employers.
- Provide subgrantees with the resources to post open job opportunities on state job boards. Subgrantees will be encouraged to maximize the reach of their hiring process by using the local and state job boards, databases, and partner resources provided by the Corporation.
- Provide subgrantees with resources to utilize the SupplyRI database to engage local Rhode Island suppliers for contracting or subcontracting opportunities. Subgrantees will be encouraged to engage with the Corporation to ensure that suppliers are aware of contracting or subcontracting opportunities.
- Engage community organizations such as community action agencies and workforce development centers to ensure communities have access to and information about BEAD job training, apprenticeships, and employment opportunities.
- As required by the NOFO, subgrantees must allow workers to convene a worker-led health and safety committee to discuss concerns with their employer (see Section 2.4.14b on Compliance measures and additional information).

Efforts to Ensure Job Access for a Diverse Workforce

The Corporation’s approach to ensuring that the job opportunities created by the BEAD program are available to a diverse pool of workers will include the following activities:

- Promote pre-apprenticeship and registered apprenticeship programs for underrepresented groups. The Corporation will use state-based initiatives such as existing partnerships within the Real Jobs RI program to identify pre-apprenticeship as well as registered apprenticeship programs, that offer industry-recognized credentials and can create a more accessible pathways into the telecommunications industry for underrepresented or historically excluded workers. Once relevant partners and/or skills programs are identified, the Corporation will connect them with subgrantees, so they are aware of a potential pool of talent from underrepresented or historically excluded workers. Additionally, Rhode Island Women in the Trade, a non-profit that delivers a pre-apprenticeship program to get women ready for a career in the construction industry, has been awarded with a Women in Apprenticeship and Nontraditional Occupations grant to help connect women with careers in nontraditional occupations. The Corporation will explore the possibility of connecting Rhode Island Women in Trades with the deployment subgrantees as potential employment partners.

- Support diversity in hiring practices. The Corporation will require subgrantees (including their contractors and subcontractors) to document and track efforts to hire and retain workers from historically underserved groups, which could include women, people of color, veterans, and people with disabilities. The Corporation will encourage subgrantees to utilize state resources to access diverse talent and suppliers. For example, the SkillsRI's WorkABILITY initiative is a collaboration of Rhode Island state agencies and their service providers to identify new sources of underrepresented talent (see "SkillsRI WorkABILITY Initiative," Skills for Rhode Island's Future, <https://skillsforri.com/workability>). Additionally, SupplyRI is an initiative that connects local suppliers to large buyers; WBEs and MBEs are well represented in SupplyRI's database of over 2,000 suppliers. The Corporation will highlight the WorkABILITY and SupplyRI initiatives to help meet the subgrantees' workforce needs while also considering goals for diversity, equity, and inclusion in the workplace.

- Outreach to diverse employees. Many established Real Jobs RI partnerships are identity-based organizations, such as Veterans Pathway Partnership, Black

Lives Matter RI for Real Jobs, and RI Reentry Employment Collaborative. The Corporation will liaise with Real Jobs RI and their partners to promote BEAD job opportunities for diverse groups, including minorities, women, formerly incarcerated individuals, homeless individuals, and other covered populations.

- Promote accountability and transparency. As required in the BEAD NOFO, page 59, the Corporation will annually publish aggregated workforce data, including information on underrepresented or historically excluded workers, which could include women, people of color, veterans, people with disabilities, formerly incarcerated persons, and other underserved groups. Subgrantee reporting of this data throughout the BEAD program will be required and monitored through the Corporation's chosen subgrantee monitoring mechanism.
- Advantage ISBE in Subgrantee Selection. Per Section 2.4.2, the Corporation will assign up to six (6) points to those subgrantees that include ISBE participation in their proposals.

2.8.2 Ensuring an Appropriately Skilled and Credentialed Workforce

Describe the information that will be required of prospective subgrantees to demonstrate a plan for ensuring that the project workforce (including contractors and subcontractors) will be an appropriately skilled and credentialed workforce. These plans should include the following:

- a. *The ways in which the prospective subgrantee will ensure the use of an appropriately skilled workforce, e.g., through Registered Apprenticeships or other joint labor-management training programs that serve all workers;*
- b. *The steps that will be taken to ensure that all members of the project workforce will have appropriate credentials, e.g., appropriate and relevant pre-existing occupational training, certification, and licensure;*
- c. *Whether the workforce is unionized;*
- d. *Whether the workforce will be directly employed or whether work will be*

performed by a subcontracted workforce; and

- e. *The entities that the proposed subgrantee plans to contract and subcontract with in carrying out the proposed work.*

If the project workforce or any subgrantee's, contractor's, or subcontractor's workforce is not unionized, the subgrantee must also provide with respect to the non-union workforce:

- a. *The job titles and size of the workforce (FTE positions, including for contractors and subcontractors) required to carry out the proposed work over the course of the project and the entity that will employ each portion of the workforce;*
- b. *For each job title required to carry out the proposed work (including contractors and subcontractors), a description of:*
- c. *Safety training, certification, and/or licensure requirements (e.g., OSHA 10, OSHA 30, confined space, traffic control, or other training as relevant depending on title and work), including whether there is a robust in-house training program with established requirements tied to certifications, titles; and*
- d. *Information on the professional certifications and/or in-house training in place to ensure that deployment is done to a high standard.*

A skilled and qualified workforce is critical to the delivery of broadband infrastructure in Rhode Island that will achieve the BEAD's Program equity, access, and deployment goals.

To ensure that subgrantees and each of their contractors and subcontractors have the technical and operational capacity to carry out the subgrant, as a gating criterion, the Corporation will require proposers to have a Workforce Credential Plan for ensuring that the project workforce will be appropriately skilled and credentialed (including by the subgrantee and each of its contractors and subcontractors). The plan for a highly skilled and credentialed workforce will include documenting and certifying the following:

1. *The ways in which the proposer will ensure the use of an appropriately skilled workforce, e.g., through Registered Apprenticeships or other joint labor-management training programs that serve all workers;*
 - i. *Proposers must certify they will require their contractors and*

subcontractors to provide apprenticeships and pre-apprenticeships through a Registered Apprenticeship, joint labor management partnership, or other high-quality, on-the-job training opportunity as a part of the Equitable Workforce Development and Job Quality scoring criterion (Section 2.4.2), these measures may be included in the Workforce Credential Plan.

2. The steps that will be taken to ensure that all members of the project workforce will have appropriate credentials, e.g., appropriate and relevant pre-existing occupational training, certification, and licensure;
 - i. Proposers must submit a narrative describing their procedures for ensuring workforce credentials.
 - ii. Proposers should discuss policies around providing trainings, certification or licensure to their workforce. Proposers should discuss which trainings are required, whether they perform the training in-house or outsource to third-parties, and whether they provide additional trainings or apprenticeships beyond what is required.
 - iii. Proposers should discuss procurement procedures for contractors or subcontractors with proof of credentials, how those credentials are verified, and whether ongoing training or certifications will be required for contractors or subcontractors.
 - iv. Proposers should include information about the procedures to ensure that licenses and certifications are up-to-date.
3. Whether the workforce is unionized;
 - i. If the workforce is unionized, proposers should include which unions they will be working with and for which roles.
 - ii. Proposers should include the credentials, training programs, apprenticeships, or other opportunities provided by the union to its members.
4. Whether the workforce will be directly employed or whether work will be performed by a subcontracted workforce; and
 - i. Proposers must elaborate on hiring and training policies for

- directly employed and contracted workforces, respectively. For example, the proposer may train, certify and/or license directly employed workers but would not provide those resources to subcontractors, who will be hired with those credentials.
- ii. Proposers must certify that all workers, whether they are directly employed or contracted, will have the necessary credentials to undertake BEAD project work.
5. The entities that the proposer plans to contract and subcontract with in carrying out the proposed work.
- i. Proposers must provide the names of contractors and subcontractors, the work those companies will perform, the number of contracted or subcontracted employees by job title, and the relevant credentials required to perform that work.
 - ii. Proposers must certify that those contracted or subcontracted companies will have the necessary credentials.

If the project workforce or any subgrantee, contractor, or subcontractor is not unionized, the subgrantee will also need to provide with respect to the non-unionized workforce:

1. The job titles and size of the workforce (FTE positions, including for contractors and subcontractors) required to carry out the proposed work over the course of the project and the entity that will employ each portion of the workforce;
2. For each job title required to carry out the proposed work (including contractors and subcontractors), a description of:
 - i. Safety training, certification, and/or licensure requirements (e.g., OSHA 10, OSHA 30, confined space, traffic control, or other training as relevant depending on title and work), including whether there is a robust in-house training program with established requirements tied to certifications, titles; and

- ii. Information on the professional certifications and/or in-house training in place to ensure that deployment is done at a standard consistent with the BEAD program's goals and in compliance with federal and state laws.

During the Subgrantee Selection Process, the Corporation will assess subgrantees' (including contractors and subcontractors) commitments with respect to advancing workforce development and job quality as a Secondary Criterion (Equitable Workforce Development and Job Quality).

2.9 Minority Business Enterprises (MBEs)/ Women's Business Enterprises (WBEs)/ Labor Surplus Firms Inclusion (Requirement 13)

2.9.1 Recruitment Plan for MBEs, WBEs and Labor Surplus Firms

Describe the process, strategy, and the data tracking method(s) the Eligible Entity will implement to ensure that minority businesses, women-owned business enterprises (WBEs), and labor surplus area firms are recruited, used, and retained when possible.

The BEAD Program is an opportunity to increase the participation of minority-owned and women-owned businesses in the economic fabric of the state. The Corporation is committed to ensuring that Minority Business Enterprises (MBEs), Women's Business Enterprises (WBEs), and Labor Surplus Area (LSA) firms are actively recruited, used, and retained where possible in broadband deployment and non-deployment activities as part of the BEAD Program.

The Corporation will encourage MBE/WBE participation in the solicitations associated to the BEAD Program, including via the Deployment Subgrantee Selection Process (see Section 2.4.2), which allocates up to 6 points to the participation of ISBE firms in a proposer's project.

As of the time of this writing, the state's list of certified MBE/WBE firms for participating in state and/or federally funded solicitations includes 475 businesses, including around 50 consulting engineering firms and a small amount of telecommunications/broadband engineering firms, IT infrastructure contractors, or suppliers of telecommunication products (See MBE / WBE Directory Search, State of Rhode Island Department of Administration, Division of Equity, Diversity & Inclusion, , <https://dedi.ri.gov/divisions-units/minority-business-enterprise-compliance-office/minority-business-enterprise-mbe>). While the universe of certified MBE/WBEs is limited, the Corporation is eager to increase the pool of qualified minority businesses. The Corporation's Minority Business Accelerator Initiative, which includes \$6M in investment and technical assistance, will assist WBE/MBE with registering with the state's Division of Equity, Diversity, and Inclusion (DEDI), and identify them

as candidates at varying stages in the supply chain. As detailed below, the Corporation will continue to plan and implement outreach events/activities targeted to MBE/WBE firms in the context of broadband deployment and the BEAD Program and will market the BEAD Program to the minority business community, emphasizing contracting and subcontracting opportunities.

The Division of Equity, Diversity & Inclusion (DEDI) at the RI Department of Administration manages State programs that facilitate equal opportunity employment opportunities and MBE/WBE participation in Rhode Island. DEDI oversees operations of the following functional offices:

- The State Equal Opportunity Office enforces the State's policy of equal opportunity and affirmative action, provides training and technical assistance to any company doing business in Rhode Island, and ensures non-discrimination and equal opportunity.
- The Human Resources Outreach & Diversity Office develops the State's business case for diversity and inclusion in employment and services.
- The Minority Business Enterprise Compliance Office promotes the development of certified MBEs, WBEs, and Disadvantaged Business Enterprises (DBEs) by facilitating their participation in Rhode Island's business and economic development opportunities, promotes the participation of certified businesses in public and private purchasing and contracting programs, and assists with new legislative and policy proposals that facilitate the involvement of minorities and women in the mainstream of the economy.
- The Supplier Diversity Office is responsible for increasing the number of businesses certified as an MBE, and to ensure that all businesses, including diverse and small businesses, have an opportunity to participate in the state's procurement activities.

Drawing on existing Corporation, statewide, and federal programs and initiatives, the Corporation will undertake the following activities:

- Coordinate with state and local government departments/divisions of minority

business support to expand BEAD-related opportunities for qualified MBEs and WBEs;

- Leverage the 2,000-supplier SupplyRI database to engage local diverse suppliers, ensure their awareness of the program, connect them to potential anchors, and support them—in collaboration with the APEX program, which serves 300+ business clients annually—in being able to take on government contracts as sub-contractors;
 - o SupplyRI has identified approximately 60 suppliers with the potential to contribute to the broadband work within its existing database. Of these, 7 to 8 are classified as woman or minority-owned businesses and 5 of them hold state WBE/MBE certifications.

- Partner with SupplyRI, as well as the Corporation’s business services team, to engage these minority/women-owned businesses and expand this list in a few targeted ways. This collective strategy has also been leveraged in the offshore wind industry to bring more local suppliers and particularly MBEs/WBEs into the industry supply chain. That work includes conducting a supply chain analysis to identify Rhode Island companies with the potential to serve the broadband industry—drawing out “adapted” companies with experience in the broadband industry and “adaptable” companies that offer products or services relevant to the industry but that lack known direct project experience. This information will inform and allow the Corporation to provide, through SupplyRI virtual and in-person events, more targeted connections for companies who may fit within the broadband supply chain;
 - o SupplyRI helps connect local suppliers to large Rhode Island businesses (anchors) through an online database of pre-screened suppliers, technical/business assistance, training resources, capital access programs, such as the Commerce Corporation’s Small Business Assistance Program, and networking events. SupplyRI connects local suppliers with large business institutions and guides them to better understand their purchasing/procurement processes and needs.

- Use capital and technical assistance from federal organizations such as the Small Business Administration and the Minority Business Development Agency of the Department of Commerce and Department of Labor's Women's Bureau for creating broader opportunities for MBEs and WBEs;
- Based on existing databases/certification programs, such as Rhode Island's Minority Business Compliance Office, place MBE/WBE firms on solicitation lists for the BEAD program, and proactively identify and engage MBE/WBE firms that are better suited to be involved in the BEAD Program, with a focus on deployment of broadband;
- Plan and implement outreach events/activities targeted to MBE/WBE firms in the context of broadband deployment and the BEAD Program, including but not limited to information sessions or webinars, networking events with proposers, targeted newsletters, and other events or activities;
- Market the BEAD Program to the minority business community, emphasizing contracting and subcontracting opportunities;
- Facilitate MBE/WBE participation in large contracts that require high insurance premium payments by investigating the adoption of a co-op model of insurance launched as a pilot by other state business organizations such as the RI Truckers Association and RI Builders Association, as appropriate;
- Facilitate MBE/WBE participation by exploring the launch of revolving loan facilities to cover working capital needs from contractual payment terms, as appropriate;
- Leverage the Rhode Island APEX Accelerator, an entity within the Corporation that serves over 300 local businesses to help them navigate contracting with Federal, State, and local agencies, to help support MBE/WBEs relevant to the BEAD Program. Additionally, the Corporation will host at least one webinar/training with APEX clients to ensure they are aware of the BEAD program;
- Assist MBE/WBEs, through the Minority Business Accelerator, with their state

MBE/WBE certification program, as well as provide direct outreach to all businesses working with the Accelerator, and support MBE/WBEs looking to act as subcontractors through the BEAD Program;

- Rhode Island has a State MBE/WBE participation requirement for all state contracts – 15% of the dollar value of the contract goes to businesses registered in Rhode Island as MBE or WBE, either as a prime/principal or as a sub. The Corporation has included an allocation of up to six (6) points for ISBE participation in the scoring evaluation of the Deployment Subgrantee Selection Process;
- Define in the Subgrantee Selection Process solicitation package a compliance monitoring and data tracking protocol for subgrantees to report on utilization of MBE/WBE firms, consistent with the guidelines from the Division of Equity, Diversity and Inclusion (DEDI), which will include specific MBE/WBE utilization KPIs to be tracked through the Corporation’s subgrantee monitoring process (see Section 2.16.2d for more information about EY Virtual, which will track BEAD projects and host required subgrantee reporting modules); and
- Understanding that the Letter of Credit Requirement may negatively affect MBEs and WBEs more than others, adopt NTIA’s guidance in waiving the Letter of Credit requirement and accept alternative financial documents to determine financial health (see Section 2.4.11 for acceptable alternatives)

Labor Surplus Areas (LSA)

The U.S. Department of Labor, Employment and Training Administration recently issued the LSA list for the fiscal year ending September 30, 2024. Currently, one jurisdiction in the State of Rhode Island, located on an island (Block Island), is included in this list. There are 392 businesses on Block Island representing 37 industries; none of those who specified their industry are related to the supply chain for broadband. It is impractical to use labor and firms from that area for deployments, as all deployments are expected to happen on the mainland. However, the Corporation, through state agencies such as the Department of Labor and

Training, will increase awareness of the contracting opportunities that the BEAD Program can provide to the local business community in Rhode Island’s LSA. As part of the Subgrantee Selection Process, the Corporation will also include information pertaining to LSA location/s and firms for potential subgrantees.

2.9.2 Check Box: MBE/WBE/LSA Inclusion

Certify that the Eligible Entity will take all necessary affirmative steps to ensure minority businesses, women’s business enterprises, and labor surplus area firms are used when possible, including the following outlined on pages 88 – 89 of the BEAD NOFO:

- a. *Placing qualified small and minority businesses and women’s business enterprises on solicitation lists;*
- b. *Assuring that small and minority businesses, and women’s business enterprises are solicited whenever they are potential sources;*
- c. *Dividing total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by small and minority businesses, and women’s business enterprises;*
- d. *Establishing delivery schedules, where the requirement permits, which encourage participation by small and minority businesses, and women’s business enterprises;*
- e. *Using the services and assistance, as appropriate, of such organizations as the Small Business Administration and the Minority Business Development Agency of the Department of Commerce; and*
- f. *Requiring subgrantees to take the affirmative steps listed above as it relates to subcontractors.*

Yes, the Corporation will take all necessary affirmative steps to ensure minority businesses, women’s business enterprises, and labor surplus area firms are used when possible, including the following outlined on pages 88 – 89 of the BEAD NOFO:

- Placing qualified small and minority businesses and women’s business

- enterprises on solicitation lists;
- Assuring that small and minority businesses, and women's business enterprises are solicited whenever they are potential sources;
 - Dividing total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by small and minority businesses, and women's business enterprises;
 - Establishing delivery schedules, where the requirement permits, which encourage participation by small and minority businesses, and women's business enterprises;
 - Using the services and assistance, as appropriate, of such organizations as the Small Business Administration and the Minority Business Development Agency of the Department of Commerce; and
 - Requiring subgrantees to take the affirmative steps listed above as it relates to subcontractors.

2.10 Cost and Barrier Reduction (Requirement 14)

2.10.1 Cost and Barrier Reduction Progress

Identify steps that the Eligible Entity has taken or will take to reduce costs and barriers to deployment. Responses may include but not be limited to the following:

- a. Promoting the use of existing infrastructure;
- b. Promoting and adopting dig-once policies;
- c. Streamlining permitting processes;
- d. Streamlining cost-effective access to poles, conduits, easements; and
- e. Streamlining rights of way, including the imposition of reasonable access requirements.

The Corporation is committed to reducing costs and barriers to deployment of BEAD projects in the most efficient and cost-effective manner for an optimal use of the BEAD funding on broadband deployment projects. Rhode Island's approach to cost and barrier reduction, which is detailed below, will assist the Subgrantees with utilizing BEAD Program funds efficiently, while also reducing unnecessary delays.

Promoting the use of existing infrastructure

The Corporation is completing an asset inventory that identifies soft assets (including, but limited to programs, activities, strategies, skills and technical assistance) and hard assets (including but not limited to towers, buildings, utility poles, and public Wi-Fi access points) in relation to deployment, adoption, affordability, access, and digital equity. In addition to the Digital Equity Ecosystem Mapping Tool, an online tool created by the Corporation to map out all CAI hard and soft assets, the Corporation is working with a GIS vendor and with ISPs to detail existing soft and hard broadband infrastructure available in the state. As of September 2023, the Corporation has identified over 2,000 miles of middle mile infrastructure in state, including:

- The Rhode Island Department of Transportation (RIDOT), the Rhode Island

Public Transit Authority (RIPTA), and other public entities also have available fiber which may be used to foster middle mile infrastructure solutions.

- Private Internet Service Providers own and operate middle mile fiber to support their various broadband and mobile services, which are not shared with the public for competitive and security reasons.

The depth of Rhode Island's existing infrastructure provides a substantial foundation to build from and to expand last-mile broadband access to unserved and underserved locations.

Finally, the Corporation intends to promote public-private partnerships that will encourage private ISPs to use their existing fiber assets in cooperation with municipalities, CAIs, or non-profits to improve and extend broadband services.

Promoting and adopting dig-once policies

The Rhode Island Department of Transportation (RIDOT) has a dig-once policy on all capital projects. Additionally, RIDOT has appointed the Corporation's Director of Broadband Strategy as broadband utility coordinator, in the context of FHWA's Broadband Infrastructure Deployment rule 23 CFR 645.307(a). As state broadband utility coordinator, the Corporation's Director of Broadband Strategy will establish a Municipal Broadband Group in which relevant municipalities and state organizations, including RIDOT, will meet regularly to increase coordination and communication for planned and ongoing construction projects that could include broadband infrastructure.

RIDOT, in collaboration with the Division of Statewide Planning, has developed an electronic version of the State Transportation Improvement Program that is available to the general public and all stakeholders (see [2022-2031 STIP Project Dashboard](#)). This tool is used to notify broadband infrastructure entities of upcoming projects where broadband opportunities exist, aligning capital projects with broadband deployment where fiber infrastructure could be co-located in the right-of-way.

Streamlining permitting processes

The Corporation will continue to work with its local and state government partners to streamline the permitting process of broadband projects and reduce the administrative burden on cities and local authorities. The Corporation is in the process of meeting with local and state authorities and infrastructure owners to understand the permitting and leasing processes. These stakeholders include municipality leaders, the State Historic Preservation Office (SHPO), RI Energy, RIDOT, RI Turnpike and Bridge Authority, and other entities that will control the review and approval of permits.

The Corporation has allocated funds from its \$5 million BEAD Planning Grant, to establish a Municipal Help Desk to support municipalities to approve permit deployments, conditional on reasonable access to the public right-of-way, and to coordinate with subgrantees to assist with the application process. The Corporation will assemble and staff a municipal help desk to assist municipalities and subgrantees during the planning and review of permit applications from BEAD deployment projects. Anticipated responsibilities and support from the municipal help desk are:

- Provide information about application fees and requirements to subgrantees
- Expedite municipal review of permit applications through tasks like:
 - o Receive permitting packages/documentation
 - o Identify items for technical review by the relevant departments (e.g., information technology, public safety, public works, facilities, transportation).
 - o Identify items for policy and legal review as needed and forward those to a team handling these issues
 - o Review zoning and permitting applications for completion
- Assist municipalities with the review process and timeline
- Coordinate communications with subgrantees and broadband deployment partners

Streamlining cost-effective access to poles, conduits, easements

As part of the asset inventory under development, the Corporation will make best effort attempts to compile pole location data throughout the state, so this information is available to proposers during the Subgrantee Selection Process and they can adequately price the cost of broadband deployment projects. The Corporation has existing relationships with electric utilities and other pole owners; as a result, the Corporation will aggregate pole access requests for RI Energy on behalf of all subgrantees to streamline the review and approval process and reduce costs. The Corporation will work with pole owners to help Subgrantees avoid delays and excessive costs. The Corporation will also engage with the Governor's Board to assist with securing expedient access to poles and reasonable application fees.

Conduits are more common in urban areas of the state, where public agencies, utilities, and telecommunication companies have built conduits for their own purposes. The Corporation will work with these entities to identify existing infrastructure and determine whether, and under what conditions, subgrantees could use existing conduit in BEAD broadband deployments. The Corporation will make a reasonable effort to help subgrantees minimize the costs associated with access to these conduits.

Streamlining rights of way, including the imposition of reasonable access requirements

The Corporation recognizes that streamlining rights of way and access requirements is crucial for fast and cost-effective deployment of broadband infrastructure. Subgrantees may interact with several stakeholders such as RIDOT, local municipalities, the Division of Public Utilities, private utility providers, or private landowners when deploying last-mile broadband infrastructure. The Corporation will work with the Governor's Office to negotiate with these entities to allow for expedient and fair permitting processes.

The Corporation will ensure open communication with municipalities through the Municipal Broadband Group. Additionally, the Corporation's municipal help desk will

coordinate between municipalities and subgrantees to provide information, expedite permitting filing and assist in compiling and organizing applications to help streamline the permitting approval process.

Prior to the beginning of the Subgrantee Selection Process, the Corporation will identify significant stakeholders for right of way and access and will document permitting or access requirements to build broadband infrastructure. This information will be included in the grant solicitation package for potential subgrantees.

Upon award of BEAD funding, the Corporation will work closely with subgrantees and their counterparts to track progress of the right of way and access permitting process.

Mitigating supply chain disruptions

An increase of broadband deployment in the U.S., driven by both federal funding and private investment, may increase competition for required equipment and materials, placing more pressure on prices and the supply chain. Rhode Island may be affected by obstacles regarding supply chain disruptions, which can delay materials delivery and broadband deployment project timelines while increasing costs. The Corporation is preparing for many materials to be affected by supply chain challenges and price increases, such as fiber optic cable, switches, and connectors.

The Corporation plans to address these obstacles through utilizing the Corporation's SupplyRI program, which connects local suppliers with large business institutions (anchors) requiring large purchases through an online database of pre-screened suppliers, technical/business assistance, training resources, capital access programs, such as the Rhode Island Commerce Corporation's Small Business Assistance program, and networking events. SupplyRI has identified approximately 60 suppliers in its existing database with the potential to contribute to the broadband work. The Corporation will ensure that subgrantees are aware of SupplyRI and suppliers relevant to the broadband supply chain. In turn, the Corporation will reach out to relevant suppliers to make them aware of BEAD-related opportunities.

Additionally, the Corporation recently assessed the offshore wind industry in Rhode Island and its supply chain capacity. The Corporation plans to use a similar framework for the broadband industry:

- First, through a comprehensive supply chain analysis, the Corporation will identify and categorize Rhode Island companies with potential for involvement in the broadband industry. Leveraging data from state partners like SupplyRI, the analysis will identify between "adapted" companies with proven experience in broadband projects (domestic or international) and "adaptable" companies offering products or services relevant to the industry but lacking known direct project experience.
- Second, this information will inform the state's "Strategic Plan for Jobs and Investment" and will provide the foundation for a comprehensive internal roadmap for further developing Rhode Island's broadband supply chain, aiming to identify significant opportunities for local companies and workers to contribute to the industry's growth.

By leveraging deeper insights into the supply chain landscape, the Corporation and SupplyRI will facilitate more targeted connections for companies across the broadband industry, enabling a more impactful approach to support Rhode Island's participation in the industry, decreasing the risk of supply chain disruption, and ensuring adherence to the Buy America provisions of the BEAD NOFO.

To support subgrantees in meeting deployment timelines following the selection phase, the Corporation will also ensure an open communication channel with subgrantees to monitor supply chain challenges as projects progress and support mitigation of unexpected delays.

Subgrantee Selection Process Design

The Corporation also intends to use the design of the Deployment Subgrantee Selection Process to lower upfront capital costs. As a primary selection criterion is BEAD program outlays, proposers are incentivized to keep costs to a minimum and to

provide as high a match as possible. The Corporation has allocated up to 30 out of 106 points (or 28% of the total score) to the Minimal BEAD Program Outlay based on the absolute lowest dollar value of BEAD funding requested by each proposer to complete broadband deployment in a Project Area Unit.

2.11 Climate Assessment (Requirement 15)

2.11.1 Climate Threat Assessment and Mitigation Methods

Describe the Eligible Entity's assessment of climate threats and proposed mitigation methods. If an Eligible Entity chooses to reference reports conducted within the past five years to meet this requirement, it may attach this report and must provide a crosswalk narrative, with reference to page numbers, to demonstrate that the report meets the five requirements below. If the report does not specifically address broadband infrastructure, provide additional narrative to address how the report relates to broadband infrastructure. At a minimum, this response must clearly do each of the following, as outlined on pages 62 – 63 of the BEAD NOFO:

- a. Identify the geographic areas that should be subject to an initial hazard screening for current and projected future weather and climate-related risks and the time scales for performing such screenings;*
- b. Characterize which projected weather and climate hazards may be most important to account for and respond to in these areas and over the relevant time horizons;*
- c. Characterize any weather and climate risks to new infrastructure deployed using BEAD Program funds for the 20 years following deployment;*
- d. Identify how the proposed plan will avoid and/or mitigate weather and climate risks identified; and*
- e. Describe plans for periodically repeating this process over the life of the Program to ensure that evolving risks are understood, characterized, and addressed, and that the most up-to-date tools and information resources are utilized.*

Rhode Island's topography and changing climate pose potential obstacles for broadband deployment and resilience. Due to its coastal nature, Rhode Island is particularly susceptible to coastal and inland flooding, erosion, rising sea level, and natural disasters such as hurricanes and other severe storms; each of these hazards are challenges that require mitigation to ensure the federal and state investment in broadband infrastructure is long-lasting.

Drawing on the work of Rhode Island’s climate action plan, the “Resilient Rhody” strategy (last updated in 2021) and the 2019 State Hazard Management Plan (SHMP), the Corporation identified the most pressing climate change risks for broadband infrastructure. These reports also highlight the ongoing initiatives the State of Rhode Island has prioritized to address climate change-induced challenges and emergencies.

I. Vulnerable Geographic Areas

The Rhode Island State Hazard Mitigation Plan (SHMP) identifies several weather and climate-related hazards to Rhode Island that are relevant to its broadband infrastructure:

- Sea level rise and land erosion,
- Flooding (inland and coastal areas),
- Storms (including severe winter storms, hurricanes, tropical storms, and severe thunderstorms),
- High winds, and
- Extreme heat.

All 39 of Rhode Island municipalities may be impacted by some or all of these climate events. Therefore, the following table includes all Rhode Island municipalities and the associated climate hazards that could affect newly deployed broadband infrastructure (please note there are no unincorporated areas within the state):

Municipality	Coastal or Riverside Risks (land erosion, coastal flooding, sea level rise)	Flood Zone(s) (See below for definitions)	High Wind Risk	Storm Risk (Thunderstorms, Tropical Storms, Winter Storms)	Extreme Heat Risk
Barrington	Coastal	AE, VE	Impacted	Impacted	Impacted
Bristol	Coastal	AE, VE	Impacted	Impacted	Impacted
Burrillville	Not Impacted	A, AE	Impacted	Impacted	Impacted
Central Falls	River	AE	Impacted	Impacted	Impacted
Charlestown	Coastal, River	A, AE, VE	Impacted	Impacted	Impacted
Coventry	River	A, AE	Not Impacted	Impacted	Impacted

Municipality	Coastal or Riverside Risks (land erosion, coastal flooding, sea level rise)	Flood Zone(s) (See below for definitions)	High Wind Risk	Storm Risk (Thunderstorms, Tropical Storms, Winter Storms)	Extreme Heat Risk
Cranston	Coastal, River	A, AE, VE	Impacted	Impacted	Impacted
Cumberland	River	A, AE	Impacted	Impacted	Impacted
East Greenwich	Coastal	A, AE	Impacted	Impacted	Impacted
East Providence	Coastal	AE, VE	Impacted	Impacted	Impacted
Exeter	Not Impacted	A, AE	Impacted	Impacted	Impacted
Foster	Not Impacted	A	Impacted	Impacted	Impacted
Glocester	Not Impacted	A, AE	Impacted	Impacted	Impacted
Hopkinton	Not Impacted	A, AE	Impacted	Impacted	Impacted
Jamestown	Coastal	A, AE, VE	Impacted	Impacted	Impacted
Johnston	Not Impacted	A, AE	Impacted	Impacted	Impacted
Lincoln	River	A, AE	Impacted	Impacted	Impacted
Little Compton	Coastal	A, AE, VE	Impacted	Impacted	Impacted
Middletown	Coastal	A, AE, VE	Impacted	Impacted	Impacted
Narragansett	Coastal	A, AE, VE	Impacted	Impacted	Impacted
Newport	Coastal	AE, VE	Impacted	Impacted	Impacted
New Shoreham	Coastal	AE, VE	Impacted	Impacted	Impacted
North Kingstown	Coastal	A, AE, VE	Impacted	Impacted	Impacted
North Providence	Not Impacted	A, AE	Impacted	Impacted	Impacted
North Smithfield	Not Impacted	A, AE	Impacted	Impacted	Impacted
Pawtucket	Coastal, River	A, AE, VE	Impacted	Impacted	Impacted
Portsmouth	Coastal	A, AE, VE	Impacted	Impacted	Impacted
Providence	Coastal, River	A, AE, AH, VE	Impacted	Impacted	Impacted
Richmond	Not Impacted	A, AE	Impacted	Impacted	Impacted
Scituate	Not Impacted	A, AE	Impacted	Impacted	Impacted
Smithfield	Not Impacted	A, AE	Impacted	Impacted	Impacted
South Kingstown	Coastal	A, AE, VE	Impacted	Impacted	Impacted
Tiverton	Coastal	A, AE, VE	Impacted	Impacted	Impacted
Warren	Coastal	AE, VE	Impacted	Impacted	Impacted
Warwick	Coastal, River	A, AE, VE	Impacted	Impacted	Impacted
Westerly	Coastal, River	A, AE, VE	Impacted	Impacted	Impacted
West Greenwich	Not Impacted	A	Not Impacted	Impacted	Impacted
West Warwick	River	A, AE	Impacted	Impacted	Impacted
Woonsocket	River	A, AE	Impacted	Impacted	Impacted

II. Initial Hazard Screening Process

The Corporation conducted an initial hazard assessment for all municipalities (as stated in the above table), in consultation with resources from the Federal Emergency Management Agency (FEMA), the Rhode Island Emergency Management Agency (RIEMA), the National Oceanic and Atmosphere Administration (NOAA), the National Weather Service (NWS), and the Rhode Island Coastal Resources Management Council (CRMC). This screening is intended to identify areas where projected changes in sea levels, weather patterns, landscape, and population will affect broadband infrastructure and broadband infrastructure deployment over the next 20 years.

Consequently, the screening identified high-risk municipalities to deploy broadband infrastructure due to projected climate change (henceforth known as “climate-risk areas”). Climate risk areas will be flagged to potential subgrantees according to the risks posed in those locations. In turn, the subgrantee proposers will need to address how they plan to deploy in those areas given certain hazardous climate and weather conditions.

The Corporation intends to flag the following relevant climate-risks based on the results of the above Hazard Screening for each eligible-location:

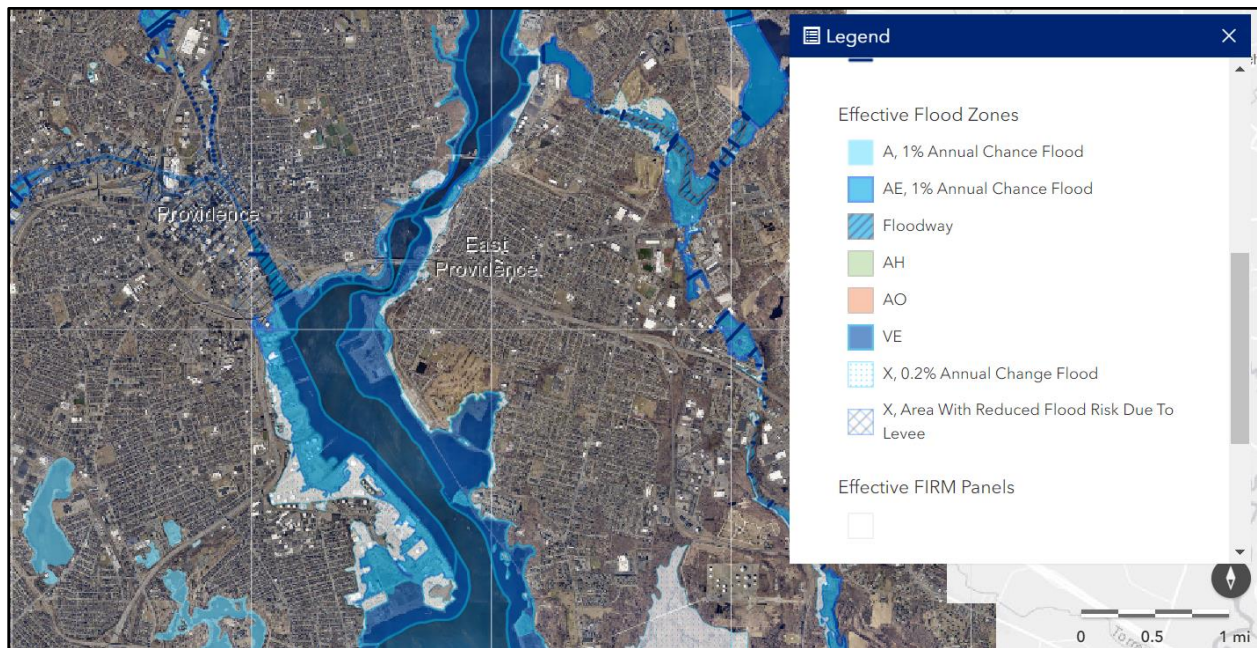
1. Flood zone
2. Distance to shoreline
3. High winds and tropical storm risk

Please note that all Rhode Island municipalities are affected by rising air temperatures, thunderstorms, and winter storms; proposers will be expected to address those universal risks in their proposals for all eligible locations, regardless of their location within the state.

Flood Zone: The Corporation will identify flood zones using the FEMA guidelines for Flood Insurance Rate Maps (FIRM). The FEMA National Flood Hazard Layer will be used to identify the flood zone categorization for all areas:

Category	Threshold
Zone X	Areas subject to inundation by the 0.2% annual-chance flood event or areas of minimal flood hazard
Zone A	Areas subject to inundation by the 1% annual-chance flood event determined using approximate methods
Zone AE	Areas subject to inundation by the 1% annual-chance flood event determined using detailed methods
Zone AH	Areas subject to inundation by the 1% annual-chance shallow flooding (usually areas of ponding) where average depths are between 1-3 ft.
Zone AO	Areas subject to inundation by the 1% annual-chance shallow flooding (usually sheet flow) where average depths are between 1-3 ft.
Zone VE	Coastal areas subject to inundation by the 1% annual-chance flood event with additional hazards due to storm-induced velocity wave action

See RIEMA, “Floodplain Mapping,” <https://riema.ri.gov/planning-mitigation/floodplain-management/mapping>

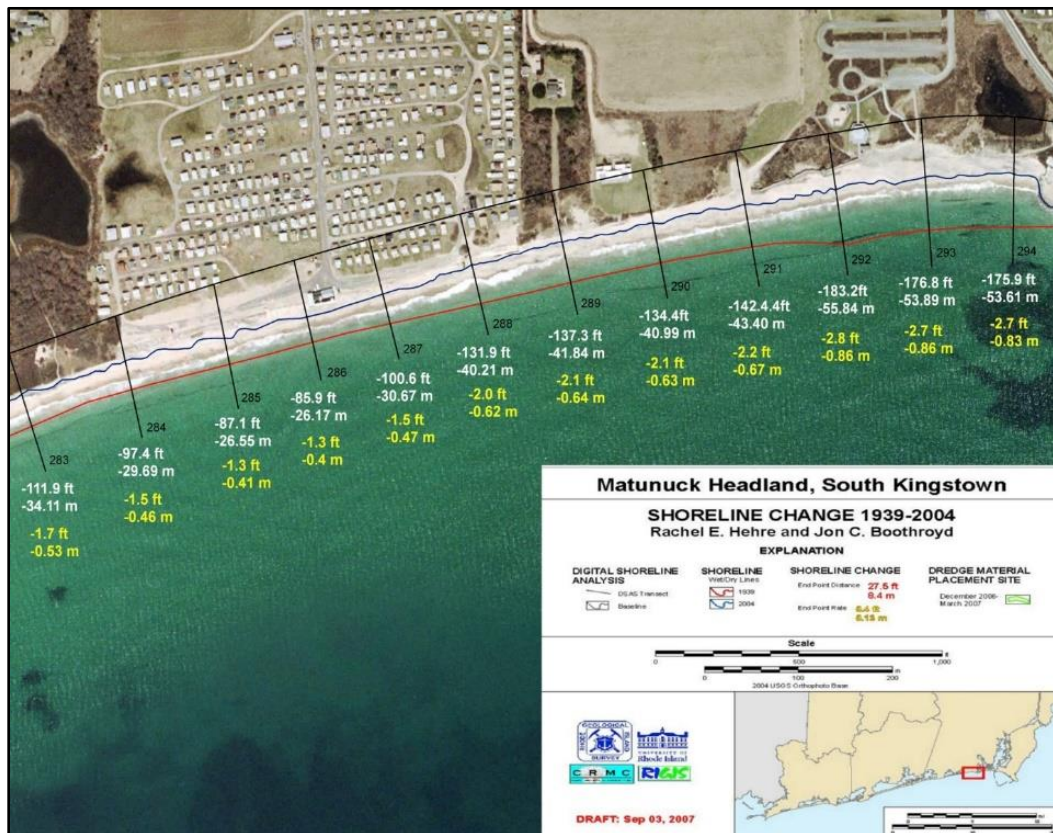


Rhode Island Floodplain Viewer in the greater Providence area. Source: Rhode Island Emergency Management Agency, “Floodplain Mapping,” <https://riema.ri.gov/planning-mitigation/floodplain-management/mapping>

Distance to Shoreline: According to Rhode Island’s Coastal Resource Management Council’s (CRMC) Shoreline Change Special Area Management Plan (SAMP) 2018, “on

average, Rhode Island’s coastline is eroding 1.9 feet per year, with some localities nearly double that” (RI CRMC, Shoreline Change SAMP, “Executive Summary,” 2018). Should the rate of erosion remain consistent with historical averages, Rhode Island’s shore will erode approximately 40 feet over the next 20 years, the assumed lifespan of proposed broadband infrastructure, without accounting for sea-level rise. Should the rate of erosion double historical averages, Rhode Island’s shore will erode approximately 80 feet over the next 20 years.

To be cautious and to account for sea-level changes, the Corporation will tag BSLs within 200 feet of the shore as at risk for coastal erosion over the next 20 years.



Rhode Island shoreline changes in South Kingstown. The red line represents the position of the shoreline in 1939; blue represents the position of the shoreline in 2004. Shoreline distance is calculated from a “baseline” represented by the black line. Source: Rhode Island Coastal Resources Management Council, “Matunuck Headland, South Kingstown, Shoreline Change 1939–2004,” Rhode Island Shoreline Change Special Area Management Plan. Rhode Island Coastal Resources Management Council, 2007, http://www.crmc.ri.gov/maps/maps_shorechange.html

High Winds and Tropical Storm Risk: Damages caused by high winds due to hurricanes, tropical storms and microbursts are projected to increase across the

state of Rhode Island. Storms with winds above 50 mph are most likely to cause damage (NOAA National Severe Storms Laboratory, “NSSL Research: Damaging Winds,” <https://www.nssl.noaa.gov/research/wind/>). The coastal areas of Washington County and Block Island experienced the most of Rhode Island’s high wind events over the last 15 years in both frequency and magnitude, being the only areas to report 80 mph wind events (National Weather Service, Storm Events Database, 2008-2023. Distributed by NOAA National Centers for Environmental Information, <https://www.ncdc.noaa.gov/stormevents/>). Areas which have reported 5 or more annual high wind events exceeding 50 mph in the last five years were flagged as high wind risk areas.

III. Weather and Climate-Related Risks to Current and Future Infrastructure

Utilizing the tools and resources recommended by NTIA, as well as State-issued reports (including the 2019 State Hazard Mitigation Plan and *Resilient Rhody* from 2018), the Corporation has identified the following weather and climate hazards as the most critical threats to broadband infrastructure (current infrastructure and future BEAD-funded infrastructure) in Rhode Island:

- **Storm Frequency and Intensity.** According to the NOAA, Rhode Island has been subject to increasing winter storms and tropical storms over the last decade. As storm frequency and intensity increase, aerial telecom infrastructure (poles, towers, antennae, and other equipment) could be damaged by high winds, heavy precipitation, flooding, and landscape erosion.
- **Sea Level Rise, Coastal Flooding, and Erosion.** Rhode Island’s coasts will likely be subject to rising sea levels, which further exacerbates the threat of landscape erosion and flooding in coastal areas. Coastal flooding further threatens to erode the landscape, which could dislodge the existing and future telecom infrastructure built in coastal areas.
- **Increased Air Temperatures and Extreme Heat.** Increased air temperatures are expected to continue, affecting not only the vulnerable coastal areas, but also inland areas. Rising temperatures could influence power and broadband infrastructure, which requires cooling.

IV. Mitigation Plan

The Corporation plans to address the impact of weather and climate related hazards to broadband infrastructure through:

- 1 The assessment of the viability of proposed broadband network deployments with respect to network design in high-risk areas
- 2 The consideration of an EHCPLT to ensure efficient deployment of capital in areas with remote or challenging topography, such as off-grid or island locations. The EHCPLT may inform decisions about deploying to high-risk locations that could be better served with non-fiber technology.
- 3 The requirement of all subgrantees to commit to maintaining BEAD-funded broadband infrastructure over its 20-year lifespan (or as otherwise defined by forthcoming NTIA guidance), despite the potentially higher maintenance costs resulting from climate risks. Ongoing maintenance will ensure fewer outages and minimized outage time from climate hazards.

As a part of the Deployment Subgrantee Selection Process, potential subgrantees must address the climate and weather risks in project areas for which they apply. The Corporation will require proposers to submit ongoing maintenance and climate change mitigation plans as part of their proposal. While subgrantee candidates will be asked to address climate risks, responses will not be included as a selection criterion; rather, climate considerations are a gating factor for participation in the Deployment Subgrantee Selection Process (i.e., only proposals that demonstrate consideration of relevant climate risks and include mitigation plans, which detail how subgrantees will address these risks, will be considered complete and eligible for participation in the Deployment Subgrantee Selection Process).

Examples of appropriate mitigation plans include, but are not limited to:

- Discussion of buried vs. aerial deployments – the state’s vulnerability to hurricanes and similar storm conditions may make deploying buried fiber a better long-term solution. However, given projected sea-level rise and coastal

and inland flooding concerns, aerial fiber may make more sense to deploy in certain areas.

- Consideration of the expected risks of flooding, winter and tropical storms, rising sea levels, and all other climate risks noted herein within build plans, including the expected project costs and BEAD outlay.
- Budgeting for back-up generators or other sources of alternative power to ensure redundancy in electrical systems.

Additionally, Rhode Island has outlined numerous climate change and hazard mitigation strategies to protect the state’s population, infrastructure, and resources. *Resilient Rhody* (last updated in 2021) highlights measures that the State plans to take or already has underway. These initiatives underscore Rhode Island’s state-wide commitment to prepare for climate change and contribute to this Initial Proposal’s mitigation strategies as it relates to broadband infrastructure. Relevant highlights of the plan include:

- The Coastal Resources Management Council (CRMC) is a resource for developers; the agency’s goal is to raise awareness of coastal hazards such as sea level rise and shoreline erosion and guide developers away from vulnerable areas (Rhode Island Infrastructure Bank, “Resilient Rhody Three-Year Impact Report,” 2021, pg. 4, <https://climatechange.ri.gov/resilient-rhody>)
- Office of Energy Resources (OER) is developing a Microgrid Plan; microgrids are municipal-level grids that can disconnect from the larger electrical grid, increasing municipal energy resilience and reducing the risk of power loss to essential facilities, including telecom. (“Resilient Rhody Three-Year Impact Report,” pg. 8)
- Stormwater infrastructure upgrades noted as necessary as precipitation patterns have changed since the state’s current infrastructure was built over 75 years ago. Rhode Island Department of Environmental Management (RIDEM) and Rhode Island Department of Transportation (RIDOT) have multiple initiatives and programs related to improving stormwater management and designing green Low-Impact Development (LID) strategies that reduce runoff and ease the impact of increased precipitation. (Rhode Island Climate Change, *Resilient Rhody: Rhode Island Statewide Climate Resilience Action Strategy*,

Rhode Island Climate Change, 2018: pp. 24-25,
<https://climatechange.ri.gov/resilient-rhody>)

Relatedly, the State Hazard Mitigation Plan (SHMP), last updated in 2019, provides an overview of all hazards that threaten Rhode Island and potential mitigation strategies to be undertaken by state or federal agencies and/or public-private partnerships. Apropos of this Initial Proposal, the SHMP lays out multiple agencies, initiatives, procedures and plans that help address natural disasters, including floods and severe storms that threaten infrastructure (RIEMA, “Table 4.1 Current Plans, Programs, Policies and Funding Opportunities that Support Risk Reduction, Community Resiliency and Mitigation Activities,” *State Hazard Mitigation Plan*. RIEMA, 2019. Pages 4-3-8. <https://riema.ri.gov/planning-mitigation/hazard-mitigation/hazard-mitigation-planning>) Rhode Island’s many mitigation strategies include preventative, proactive, and reactive measures. Examples include:

- Preventative:
 - o Enhanced Hazard Tree Mitigation Plan (National Grid) (see 2019 State Hazard Mitigation Plan, pg. 4-3)
 - o Debris Management Plan Technical Assistance (RIEMA) (see 2019 State Hazard Mitigation Plan, pg. 4-5)
 - o Energy Assurance Plan (Rhode Island Office of Energy) (see 2019 State Hazard Mitigation Plan, pg. 4-6)
 - o Rhode Island Ocean Special Area Management Program (CRMC) (see 2019 State Hazard Mitigation Plan, pg. 4-7)
- Proactive
 - o Real-time monitoring of river stage, streamflow tides and pond levels (US Geological Survey) (see 2019 State Hazard Mitigation Plan, pg. 4-8)
 - o Real-time flooding inundation mapping studies (US Geological Survey) (see 2019 State Hazard Mitigation Plan, pg. 4-8)
 - o Shoreline Change Maps (CRMC) (see 2019 State Hazard Mitigation Plan, pg. 4-3)
- Reactive
 - o Swift emergency response to infrastructure damage from various agencies and internet service providers as laid out in various plans

- Flood event summaries and studies (National Weather Service) (see 2019 State Hazard Mitigation Plan, pg. 4-3)

V. Plan for Long-Term Reassessment of Climate Risk

To ensure that BEAD-funded infrastructure will withstand climate risks, the Corporation will continue to monitor risks that climate change progression could have on broadband infrastructure. Utilizing the national and state resources outlined in the initial hazard screening process, the Corporation will update its Initial Hazard Screening every 5 years over the useful life of the network (20 years or as otherwise defined by forthcoming NTIA guidance). Upon identification of additional climate hazards impacting networks deployed with BEAD-funds, the Corporation will notify Subgrantees of new risks and request an updated plan detailing mitigation strategies and approaches.

Additionally, as the Corporation will require Subgrantees to maintain their networks for 20 years (or as otherwise defined by forthcoming NTIA guidance) regardless of climate hazards, the Corporation will require subgrantees to commit to long-term maintenance plans, which account for current and future hazards. To ensure adherence to these plans, the Corporation will monitor subgrantees to ensure that climate risks are being properly considered and addressed in deployment programs.

2.11.1 Optional Attachment: Relevant Reports

As an optional attachment, submit any relevant reports conducted within the past five years that may be relevant for this requirement and will be referenced in the text narrative above.

Relevant statewide initiatives related to climate resilience and hazard mitigation are:

- **Resilient Rhody Climate Resilience Action Strategy (updated 2021)**
 - Available [here](#).

- This Initial Proposal has been informed by Rhode Island’s *Resilient Rhody Climate Resilience Action Strategy*, which was most recently updated in 2021 (originally adopted in 2018). This strategy details the impacts of climate change and highlights the numerous state agencies, projects, and initiatives that are designed to mitigate climate change impacts.

- **Rhode Island State Hazard Mitigation Plan (2019)**
 - Available [here](#).
 - The Rhode Island State Hazard Mitigation Plan (SHMP) identified the most significant climate risks in Rhode Island based on likelihood of occurrence, range of impact, and the probable level of impact (see “Hazard Ranking Methodology, RIEMA, 2019 State Hazard Mitigation Plan, pg. 3-14). The Corporation used this list of climate risks as a starting point to look at the impact of climate change on broadband infrastructure. Additionally, the SHMP provided a list of local, and state resources, agencies, databases, and initiatives responsible for collaborating on climate change mitigation and their capabilities, funding and technical assistance.

2.12 Low-Cost Broadband Service Option (Requirement 16)

2.12.1 Low-Cost Broadband Service Option(s)

Describe the low-cost broadband service option(s) that must be offered by subgrantees as selected by the Eligible Entity, including why the outlined option(s) best services the needs of residents within the Eligible Entity's jurisdiction. At a minimum, this response must include a definition of low-cost broadband service option that clearly addresses the following, as outlined on page 67 of the BEAD NOFO:

- a. *All recurring charges to the subscriber, as well as any non-recurring costs or fees to the subscriber (e.g., service initiation costs);*
- b. *The plan's basic service characteristics (download and upload speeds, latency, any limits on usage or availability, and any material network management practices);*
- c. *Whether a subscriber may use any Affordable Connectivity Benefit subsidy toward the plan's rate; and*
- d. *Any provisions regarding the subscriber's ability to upgrade to any new low-cost service plans offering more advantageous technical specifications.*

Provided that the Affordable Connectivity Program (ACP) or any successor program remains funded, will require subgrantees to provide the following low-cost broadband service option:

- The proposed service option:
 - o Costs \$30 per month or less, inclusive of all taxes, fees, and charges if the subscriber does not reside on Tribal Lands, or \$75 per month or less, inclusive of all taxes, fees, and charges if the subscriber resides on Tribal Lands, with no additional non-recurring costs or fees to the consumer such as installation costs or consumer premise equipment (CPE);
 - o Allows the end user to apply the Affordable Connectivity Benefit subsidy to the service price;
 - o Provides the greater of (a) typical download speeds of at least 100 Mbps and typical upload speeds of at least 20 Mbps, or the fastest speeds the infrastructure is capable of if less than 100 Mbps/20 Mbps or (b) the

performance benchmark for fixed terrestrial broadband service established by the Federal Communications Commission pursuant to Section 706(b) of the Communications Act of 1934, as amended;

- Provides typical latency measurements of no more than 100 milliseconds;
 - Is not subject to data caps, surcharges, or usage-based throttling, and is subject only to the same acceptable use policies to which subscribers to all other broadband internet access service plans offered to home subscribers by the participating subgrantee must adhere; and
 - In the event the internet service provider later offers a low-cost plan with higher speeds downstream and/or upstream, permits Eligible Subscribers that are subscribed to a low-cost broadband service option to upgrade to the new low-cost offering at any time and at no additional cost.
- Subgrantees are required to participate in the Affordable Connectivity Program or any successor program, and Eligible Subscribers that are eligible for a broadband service subsidy can apply the subsidy to the proposed service option. While it is not mandatory that subgrantees inform customers of their mandatory participation in the ACP, proposers are strongly recommended to establish that potential customers are conscious of their participation in the Affordable Connectivity Program.
 - The Corporation will require the low-cost broadband service option to be offered by subgrantees to those who are eligible to participate in the FCC's Affordable Connectivity Program. Criteria for eligibility can be found on the ACP's website [here](#). Subgrantees are prohibited from imposing extra eligibility conditions beyond what the Affordable Connectivity Program mandates.
 - The Corporation will require the low-cost broadband service option to be available to eligible recipients for the useful life of the network, which will be defined in the forthcoming NTIA guidance.

If the ACP is depleted or otherwise suspended and no successor program created, the Corporation will require subgrantees to provide the following low-cost broadband service option:

- The proposed service option:
 - Costs \$30 per month or less, inclusive of all taxes, fees, and charges, with no

- additional non-recurring costs or fees to the consumer such as installation costs or consumer premise equipment (CPE), with the exception of annual inflation increases based on the annual Personal Consumption Expenditures (PCE) Price Index for services excluding energy and housing, as published by U.S. Commerce Bureau of Economic Analysis;
- o Allows the end user to apply any state or federal connectivity subsidy to the service price;
 - o Provides the greater of (a) typical download speeds of at least 100 Mbps and typical upload speeds of at least 20 Mbps, or the fastest speeds the infrastructure is capable of if less than 100 Mbps/20 Mbps or (b) the performance benchmark for fixed terrestrial broadband service established by the Federal Communications Commission pursuant to Section 706(b) of the Communications Act of 1934, as amended;
 - o Provides typical latency measurements of no more than 100 milliseconds;
 - o Is not subject to data caps, surcharges, or usage-based throttling, and is subject only to the same acceptable use policies to which subscribers to all other broadband internet access service plans offered to home subscribers by the participating subgrantee must adhere; and
 - o In the event the internet service provider later offers a low-cost plan with higher speeds downstream and/or upstream, permits Eligible Subscribers that are subscribed to a low-cost broadband service option to upgrade to the new low-cost offering at any time and at no additional cost.
- The Corporation will require the low-cost broadband service option to be offered by subgrantees to households located in areas in which the percentage of individuals with a household income that is at or below 150 percent of the poverty line applicable to a family of the size involved is higher than the state percentage of such individuals.
 - The Corporation will require the low-cost broadband service option to be available to eligible recipients for the useful life of the network, which will be defined in the forthcoming NTIA guidance.

2.12.2 Check Box: ACP Participation Requirement for Subgrantees

Certify that all subgrantees will be required to participate in the Affordable Connectivity Program or any successor program.

Yes, the Corporation certifies that all subgrantees will be required to participate in the Affordable Connectivity Program or any successor program.

2.13 Middle-Class Affordability Plans

2.13.1 Middle-Class Affordability Plan

Describe a middle-class affordability plan that details how high-quality broadband services will be made available to all middle-class families in the BEAD-funded network's service area at reasonable prices. This response must clearly provide a reasonable explanation of how high-quality broadband services will be made available to all middle-class families in the BEAD-funded network's service area at reasonable prices.

Affordability is a primary goal of the ConnectRI program. As a result, the Corporation will ensure all middle-class families in the BEAD-funded network's service area have access to high-speed broadband at reasonable prices.

To achieve this goal, the Corporation has designed the Deployment Projects Subgrantee Selection Process & Scoring Approach to emphasize affordability, which is the selection criterion with the largest impact on a proposer's potential score, making up 33% of the score. As articulated within Section 2.4 of this Initial Proposal, the Corporation will score proposers, in part, based on the prices they commit to offering for high-speed broadband (1 Gbps download/upload speeds for Priority Broadband Projects and 100/20 Mbps download/upload speeds for Other Broadband projects). Proposers with more affordable prices will receive scores higher than proposers with less affordable prices for these speeds, which given the weight of this criterion will likely result in proposers with the most affordable plans winning bids across the state, which will largely benefit middle class families.

2.14 Use of 20 Percent of Funding (Requirement 17)

2.14.1 Funding Allocation Request

Describe the Eligible Entity's planned use of any funds being requested, which must address the following:

- a. If the Eligible Entity does not wish to request funds during the Initial Proposal round, it must indicate no funding requested and provide the rationale for not requesting funds.*
- b. If the Eligible Entity is requesting less than or equal to 20 percent of funding allocation during the Initial Proposal round, it must detail the amount of funding requested for use upon approval of the Initial Proposal, the intended use of funds, and how the proposed use of funds achieves the statutory objective of serving all unserved / underserved locations.*
- c. If the Eligible Entity is requesting more than 20 percent (up to 100 percent) of funding allocation during the Initial Proposal round, it must detail the amount of funding requested for use upon approval of the Initial Proposal, the intended use of funds, how the proposed use of funds achieves the statutory objective of serving all unserved / underserved locations, and provide rationale for requesting funds greater than 20 percent of the funding allocation.*

The Corporation is requesting 100% of Rhode Island's \$108,718,820.75 allocation in BEAD funding for use upon approval of the Initial Proposal. Five million dollars has already been awarded to Rhode Island for the BEAD Planning Grant.

The Corporation anticipates that the intended use of funds will include the following activities:

- Activities required as part of the Initial Proposal, such as the design and implementation of the Subgrantee Selection Process and the design and implementation of the External Engagement and the execution of the Challenge Process,
- Administrative costs subject to the 2% cap that will fund expenses relating (directly or indirectly) to administration of the grant under Section 60102(d)(2)(B) of the Infrastructure Act, and

- Deployment activities that will fund programmatic costs for broadband deployment, including construction and acquisition of infrastructure, as well as workforce preparation/training.

The Corporation does not anticipate implementing any Non-Deployment Activities upfront or prior to Deployment Activities and will focus its efforts on broadband deployment and administering the program.

The Corporation's request is based on the following:

- The expected capital cost to expand broadband networks to all unserved and underserved locations in Rhode Island.
- The desire to implement a successful and competitive Subgrantee Selection Process, as defined in Requirement #8 (Deployment Subgrantee Selection) that will attract a wide and qualified pool of potential subgrantees, maximizing the reach of BEAD funding in Rhode Island when neighboring states are also conducting similar processes.
- The obstacles for broadband deployment and resilience in areas with remote or challenging access posed by Rhode Island's topography, climate conditions and coastal nature of the land, within the four-year deployment timeframe of the BEAD Program.
- The need to ensure that an adequate skilled workforce, such as trained fiber technicians to construct and maintain fiber networks, is available for broadband deployment when those interventions are needed.

The Corporation requests that the Assistant Secretary make the total allocation of funds to be obligated at the Initial Proposal stage of the BEAD Program due to the size and speed of RI's deployments, the general principals of not pre-obligating funding that one doesn't have, and the state law on multi-year contracts—which specifies that the state may only enter into multi-year contracts if “funds for the first fiscal year of the contemplated contract are available at the time of contracting and the contract states that payment and performance obligations for succeeding fiscal years shall be subject to the availability of funds therefor” (R.I. Gen. Laws § 37-2-33).

Additionally, the Corporation requests funds greater than 20 percent of the state funding allocation to:

- Provide budget certainty for proposers (based on the outreach efforts conducted by the Corporation, a fully funded program will provide confidence amongst subgrantees, creating a more competitive environment for the Subgrantee Selection Process); and
- Allow for faster deployment of broadband infrastructure (within the four-year timeframe established in the Notice of Funding Availability statute) including foundational activities such as workforce development and capacity building for permitting activities.

This approach will ensure all Rhode Islanders can connect to broadband service and address barriers to digital equity and will help achieve the Corporation's objectives of maximizing funding allocation with a focus on affordability and driving economic and workforce development.

2.14.2 Financial Data Entry

Enter the amount of the Initial Proposal Funding Request. If not requesting Initial Proposal funds, enter '\$0.00.'

\$103,718,820.75

2.14.3 Check Box: BEAD Program Requirements Adherence

Certify that the Eligible Entity will adhere to BEAD Program requirements regarding Initial Proposal funds usage. If the Eligible Entity is not requesting funds in the Initial Proposal round and will not submit the Initial Proposal Funding Request, note "Not applicable."

Yes, The Corporation will adhere to BEAD Program regarding Initial Proposal usage of funds.

2.15 Eligible Entity Regulatory Approach (Requirement 18)

2.15.1 Regulatory Approach

Disclose whether the Eligible Entity will waive all laws of the Eligible Entity concerning broadband, utility services, or similar subjects, whether they predate or postdate enactment of the Infrastructure Act that either (a) preclude certain public sector internet service providers from participation in the subgrant competition or (b) impose specific requirements on public sector entities, such as limitations on the sources of financing, the required imputation of costs not actually incurred by the public sector entity, or restrictions on the service a public sector entity can offer. If the Eligible Entity will not waive all such laws for BEAD Program project selection purposes, identify those that it will not waive (using the Excel attachment) and their date of enactment and describe how they will be applied in connection with the competition for subgrants. If there are no applicable laws, note such.

To the knowledge of the Corporation, Rhode Island does not have any laws concerning broadband, utility services, or similar subjects, that either (a) preclude certain public sector providers from participating in the subaward competition or (b) impose specific requirements on public sector entities, such as limitations on the sources of financing, the required imputation of costs not actually incurred by the public sector entity, or restrictions on the service a public sector entity can offer. Block Island's Broadband BI network is an example of a public-private partnership that created Rhode Island's first municipally-owned fiber-to-the-home network connecting all locations in New Shoreham, Rhode Island, on Block Island.

2.15.1.1 Optional Attachment: Regulatory Approach

As a required attachment only if the Eligible Entity will not waive laws for BEAD Program project selection purposes, provide a list of the laws that the Eligible Entity will not waive for BEAD Program project selection purposes, using the Eligible Entity Regulatory Approach template provided.

Not applicable.

2.16 Certification of Compliance with BEAD Requirements (Requirement 19)

2.16.1 Check Box: Intent to Comply

Certify the Eligible Entity's intent to comply with all applicable requirements of the BEAD Program, including the reporting requirements.

Yes, the Corporation intends to comply with all applicable requirements of the BEAD Program, including reporting requirements.

2.16.2 Subgrantee Accountability Procedures

Describe subgrantee accountability procedures, including how the Eligible Entity will, at a minimum, employ the following practices outlined on page 51 of the BEAD NOFO:

- a. *Distribution of funding to subgrantees for, at a minimum, all deployment projects on a reimbursable basis (which would allow the Eligible Entity to withhold funds if the subgrantee fails to take the actions the funds are meant to subsidize);*
- b. *The inclusion of claw back provisions (i.e., provisions allowing recoupment of funds previously disbursed) in agreements between the Eligible Entity and any subgrantee;*
- c. *Timely subgrantee reporting mandates; and*
- d. *Robust subgrantee monitoring practices.*

Funding Accountability Framework

The Corporation will distribute funding to subgrantees for all deployment projects on a reimbursable basis. The only costs that will be reimbursed or paid are those that are:

1. Within the scope of the approved deployment project,
2. Consistent with the approved budget, and/or as amended,

3. Consistent with federal cost principles, and
4. Consistent with limitations applicable to the BEAD funding agreement.

The subgrantee agreement will define a funding distribution schedule based on physical completion and testing, if applicable, of the deployment projects and the submittal of sufficient documentation, such as as-built drawings and location data for verification purposes.

For non-deployment projects, the Corporation may consider alternative options to distribute funding to subgrantees that are underrepresented or minority-owned, including but not limited to a one-time advance payment at the outset of the non-deployment project to cover initial working capital needed to deliver the scope proposed. The subgrantee shall submit an itemized invoice detailing any estimated allowable expenses for which the advance payment will be used.

Claw back Provisions

During the development of the RFP solicitation package, expected for 1Q-2Q 2024, the Corporation will establish provisions to recapture or claw back funds already paid to the subgrantee in the event of the subgrantee's noncompliance with the BEAD Program's requirements, including but not limited to failure to deploy network infrastructure in accordance with mandated deadlines. The Corporation will ensure that its grant agreement will contain a provision that describes the appropriate events that would trigger the recapture or claw back of BEAD Program funds, which may include but are not limited to:

- Defective deployment of broadband infrastructure, not meeting reporting deadlines, or other breach under the grant agreement;
- Reasonable indication that the deployment of broadband infrastructure will not be completed within the timeframe specified;
- Failure to offer broadband services at the prices committed to for the required period in the subgrantee's original proposal;
- Third-party claims;
- Failure to make payments due to contractors or subcontractors;

- Incorrect invoicing, including overcharges in violation of the terms of the grant agreement;
- Unpaid and delinquent taxes or other debt owed to state agencies by the subgrantee;
- Any claim against the subgrantee by a state agency arising from this grant agreement or any other agreement between the subgrantee and any state agency; or
- Any other instances of fraud, waste or abuse related to the funding.

Timely Subgrantee Reporting Mandates

At a minimum, the Corporation plans to include/enforce the following subgrantee reporting requirements:

1. **Financial Reporting.** The subgrantee will submit financial reports in the format required by the Corporation. The Corporation will request subgrantee financial reporting on a quarterly basis; however, it reserves the right to set up more frequent cadence (e.g., monthly, every other month) based on the subgrantee's performance within this program. Failure to submit the required financial reports may cause a delay or suspension of funding.
2. **Activity (Programmatic) Reporting.** The subgrantee will submit activity reports in the format required by the Corporation. The Corporation will request subgrantee activity reporting on a quarterly basis; however, it reserves the right to set up more frequent cadence (e.g., monthly, every other month) based on the subgrantee's performance within this program.
3. **Close-out Reporting.** The subgrantee will complete all applicable administrative actions and all required work of the subaward by the date specified in the grant agreement, including but not limited to: (i) submission of final financial, activity and other reports; (ii) completion of all outstanding obligations, so no new obligations are to be made after the end of the performance period; (iii) post close-out adjustments to the final financial report if an audit or review of the subgrantee occurs after the award close out;

or (iv) completion of a close-out checklist to the Corporation certifying the items contained in the Close-out Reporting process have been addressed.

Robust Subgrantee Monitoring Practices

The Corporation will require subgrantees, or subrecipients, to submit relevant project accountability reports (As used herein, the terms “subgrantee” and “subgrant” are meant to have the same meaning, respectively, as the terms “subrecipient” and “subaward” in federal financial assistance regulations and other governing authorities.) Subgrantees will be required to submit reports through EY Virtual, EY’s proprietary technology to assist in managing, controlling, and monitoring the disbursements of funds to improve efficiencies and decrease risks This database will be individualized to the needs of Rhode Island. The EY Virtual platform has the following functions:

1. Project Inventory: monitors activities in real time (e.g., obligated amounts, expenditures, and other key metrics)
2. Project Management and Subrecipient Management: includes the narrative of the project and subrecipient-tailored information such as award amount
3. Financial Transactions: tracks and monitors expenditures
4. KPI Tracking: tracking outcomes and output measures
5. Compliance: ensures subrecipients are compliant and consistent in their reporting

The Corporation will implement the following practices to proactively monitor subgrantee, or subrecipient, accountability and compliance with all BEAD Program requirements for the duration of their projects per 2 C.F.R. Part 200 Subpart D, 200.331-333 (Subrecipient Monitoring and Management):

1. The Corporation will ensure that every subaward is clearly identified to the subrecipient as a subaward and includes the following information at the time of the subaward and if any of these data elements change, include the changes in subsequent subaward modifications. When some of this information is not available, the pass-through entity must provide the best

information available to describe the Federal award and subaward. Required information includes:

- i. Federal award identification;
 - ii. All requirements imposed by the Corporation on the subrecipient so that the Federal award is used in accordance with Federal statutes, regulations and the terms and conditions of the Federal award;
 - iii. Any additional requirements that the Corporation imposes on the subrecipient in order for the pass-through entity to meet its own responsibility to the Federal awarding agency including identification of any required financial and performance reports;
 - iv. An approved federally recognized indirect cost rate negotiated between the subrecipient and the Federal Government;
 - v. A requirement that the subrecipient permit the Corporation and auditors to have access to the subrecipient's records and financial statements as necessary for the pass-through entity to meet the requirements of this part; and
 - vi. Appropriate terms and conditions concerning closeout of the subaward.
2. The Corporation will evaluate each subrecipient's risk of noncompliance with Federal statutes, regulations, and the terms and conditions of the subaward for purposes of determining the appropriate subrecipient monitoring described in this section, which may include consideration of such factors as:
- i. The subrecipient's prior experience with the same or similar subawards;
 - ii. The results of previous audits and the extent to which the same or similar subaward has been audited as a major program;
 - iii. Whether the subrecipient has new personnel or new or substantially changed systems; and
 - iv. The extent and results of Federal awarding agency monitoring (e.g., if the subrecipient also receives Federal awards directly from a federal awarding agency).
3. The Corporation will consider imposing specific subaward conditions upon a subrecipient if appropriate.

4. The Corporation will monitor the activities of the subrecipient as necessary to ensure that the subaward is used for authorized purposes, in compliance with Federal statutes, regulations, and the terms and conditions of the subaward; and that subaward performance goals are achieved. The Corporation's monitoring of the subrecipient will include:
 - i. Reviewing financial and performance reports required by the Corporation.
 - ii. Following up and ensuring that the subrecipient takes timely and appropriate action on all deficiencies pertaining to the Federal award provided to the subrecipient from the Corporation detected through audits, on-site reviews, and written confirmation from the subrecipient, highlighting the status of actions planned or taken to address Single Audit findings related to the particular subaward.
 - iii. Issuing a management decision for applicable audit findings pertaining only to the Federal award provided to the subrecipient from the Corporation.
 - iv. The Corporation is responsible for resolving audit findings specifically related to the subaward and not responsible for resolving crosscutting findings.
5. Depending upon the Corporation's assessment of risk posed by the subrecipient (as described in paragraph (2) of this section), the Corporation may use the following monitoring tools to ensure proper accountability and compliance with program requirements and achievement of performance goals:
 - i. Training and technical assistance on program-related matters; and
 - ii. On-site reviews of the subrecipient's program operations;
 - iii. Arrange agreed-upon-procedures engagements related to audit services.
6. The Corporation will verify that every subrecipient is audited as required by 2 C.F.R. Part 200 Subpart F.
7. The Corporation will consider whether the results of the subrecipient's audits,

on-site reviews, or other monitoring indicate conditions that necessitate adjustments to the Corporation's own records.

8. The Corporation will consider taking enforcement action against noncompliant subrecipients.

2.16.3 Check Box: Civil Rights and Non-Discrimination in Subgrantee Selection

Certify that the Eligible Entity will account for and satisfy authorities relating to civil rights and nondiscrimination in the selection of subgrantees.

YES, the Corporation will account for and satisfy authorities relating to civil rights and nondiscrimination in the selection of subgrantees.

2.16.4 Check Box: Cybersecurity Compliance and Supply Chain Risk Management

Certify that the Eligible Entity will ensure subgrantee compliance with the cybersecurity and supply chain risk management requirements on pages 70 - 71 of the BEAD NOFO to require prospective subgrantees to attest that:
Cybersecurity

1. *The prospective subgrantee has a cybersecurity risk management plan (the plan) in place that is either: (a) operational, if the prospective subgrantee is providing service prior to the award of the grant; or (b) ready to be operationalized upon providing service, if the prospective subgrantee is not yet providing service prior to the grant award;*
2. *The plan reflects the latest version of the National Institute of Standards and Technology (NIST) Framework for Improving Critical Infrastructure Cybersecurity (currently Version 1.1) and the standards and controls set forth in Executive Order 14028 and specifies the security and privacy controls being implemented;*

3. *The plan will be reevaluated and updated on a periodic basis and as events warrant; and*
4. *The plan will be submitted to the Corporation prior to the allocation of funds. If the subgrantee makes any substantive changes to the plan, a new version will be submitted to the Corporation within 30 days.*

Supply Chain Risk Management (SCRM)

1. *The prospective subgrantee has a SCRM plan in place that is either: (a) operational, if the prospective subgrantee is already providing service at the time of the grant; or (b) ready to be operationalized, if the prospective subgrantee is not yet providing service at the time of grant award;*
2. *The plan is based upon the key practices discussed in the NIST publication NISTIR 8276, Key Practices in Cyber Supply Chain Risk Management: Observations from Industry and related SCRM guidance from NIST, including NIST 800-161, Cybersecurity Supply Chain Risk Management Practices for Systems and Organizations and specifies the supply chain risk management controls being implemented;*
3. *The plan will be reevaluated and updated on a periodic basis and as events warrant; and*
4. *The plan will be submitted to the Eligible Entity prior to the allocation of funds. If the subgrantee makes any substantive changes to the plan, a new version will be submitted to the Eligible Entity within 30 days. The Eligible Entity must provide a subgrantee's plan to NTIA upon NTIA's request.*

YES, the Corporation will ensure subgrantee compliance with the cybersecurity and supply chain risk management requirements on pages 70 - 71 of the BEAD NOFO to require proposers to attest that:

Cybersecurity

1. The proposer has a cybersecurity risk management plan (the plan) in place that is either: (a) operational, if the proposer is providing service prior to the award of the grant; or (b) ready to be

- operationalized upon providing service, if the proposer is not yet providing service prior to the grant award;
2. The plan reflects the latest version of the National Institute of Standards and Technology (NIST) Framework for Improving Critical Infrastructure Cybersecurity (currently Version 1.1) and the standards and controls set forth in Executive Order 14028 and specifies the security and privacy controls being implemented;
 3. The plan will be reevaluated and updated on a periodic basis and as events warrant; and
 4. The plan will be submitted to the Eligible Entity prior to the allocation of funds. If the subgrantee makes any substantive changes to the plan, a new version will be submitted to the Eligible Entity within 30 days.

Supply Chain Risk Management (SCRM)

1. The proposer has a SCRM plan in place that is either: (a) operational, if the proposer is already providing service at the time of the grant; or (b) ready to be operationalized, if the proposer is not yet providing service at the time of grant award;
2. The plan is based upon the key practices discussed in the NIST publication NISTIR 8276, Key Practices in Cyber Supply Chain Risk Management: Observations from Industry and related SCRM guidance from NIST, including NIST 800-161, Cybersecurity Supply Chain Risk Management Practices for Systems and Organizations and specifies the supply chain risk management controls being implemented;
3. The plan will be reevaluated and updated on a periodic basis and as events warrant; and
4. The plan will be submitted to the Corporation prior to the allocation of funds. If the subgrantee makes any substantive changes to the plan, a new version will be submitted to the Corporation within 30 days. The Corporation will be required to provide a subgrantee's plan

to NTIA upon NTIA's request.

2.17 Volume 2 Public Comment

2.17.1: Public Comment

Describe the public comment period and provide a high-level summary of the comments received during the Volume 1 public comment period and how they were addressed by the Eligible Entity. The response must demonstrate:

- a. The public comment period was no less than 30 days; and*
- b. Outreach and engagement activities were conducted to encourage feedback during the public comment period.*

The Corporation solicited input and comments regarding this document from all Rhode Islanders and other stakeholders. The Corporation posted the Proposal to its website, <https://commerceri.com/broadband>, and announced its release through a press release, its newsletter (700+ contacts), and social media channels. Additionally, the Corporation verbally informed key stakeholders of the public comment period for the Initial Proposal through meetings with the Broadband Advisory Council, ISPs operating in the state, and municipal government representatives; feedback was solicited and encouraged in communications about the Initial Proposal. Feedback was provided during the public comment period, beginning November 3, 2023, and ending December 4, 2023. The Corporation carefully reviewed and considered all feedback submitted through the online comment form previously available on the Corporation's website.

Following the public comment period, the Corporation updated this document prior to its submission to NTIA. This updated document includes a high-level summary of the comments received and details regarding how the Corporation addressed these comments below.

Summary of Public Comments

Section	Comment	Response
2.1	Include high-quality job creation and workforce development as an explicit priority of the program	Adopt recommendation regarding high-quality job creation (workforce development is already noted within the Initial Proposal as a goal).
2.1	Define job creation and workforce development metrics with which to track subgrantees, and make the monitored metrics public.	The Corporation has already identified job creation, employment, and enrollment in workforce development as performance metrics.
2.1	Technical neutrality is necessary and statutory. The state limits the opportunities by imposing a data rate requirement beyond 100/20. Fixed wireless can accommodate needs for 100/20.	NTIA requires Rhode Island to prioritize end-to-end Fiber optic infrastructure (see BEAD NOFO, page 42).
2.1	The Corporation should set an EHCPLT that encourages providers of all technologies.	NTIA requires Rhode Island to prioritize end-to-end Fiber optic infrastructure (see BEAD NOFO, page 42). Providers of non-fiber technologies may submit proposals in the second RFP of the Deployment Subgrantee Selection Process.
2.1	Consider how Mobile Broadband (5G) can work in the state. Those connected with fiber may not be able to afford it, so FWA should be considered as an affordable competitor.	NTIA requires Rhode Island to prioritize end-to-end Fiber optic infrastructure (see BEAD NOFO, page 42). Providers of non-fiber technologies may submit proposals in the second RFP of the Deployment Subgrantee Selection Process.

Section	Comment	Response
		Further, the Corporation's selection criteria prioritize affordability and requires participation in a low-cost option.
2.1	Establish Critical Resiliency Need criterion for wireless infrastructure. Fiber networks are less resilient and take longer to restore. This is why people rely on cell phones instead of wi-fi.	NTIA requires Rhode Island to prioritize end-to-end Fiber optic infrastructure (see BEAD NOFO, page 42). Providers of non-fiber technologies may submit proposals in the second RFP of the Deployment Subgrantee Selection Process.
2.1	Create a separate section on the role of Wireless in BEAD that addresses how you envision wireless technologies as a part of BEAD program.	NTIA requires Rhode Island to prioritize end-to-end Fiber optic infrastructure (see BEAD NOFO, page 42). Providers of non-fiber technologies may submit proposals in the second RFP of the Deployment Subgrantee Selection Process.
2.1	Resilience of broadband timing signals is not addressed in the proposal. Interruption or malicious attacks on timing signals could disrupt the network, and having back-up timing systems could increase resilience. NITRO (Nationwide Integration of Timing Resiliency for Operation) is an alternative timing solution that can be expanded with BEAD funds.	Rhode Island's Initial Proposal already requires Subgrantees to operate reliable and secure networks
2.1	To make universal broadband a reality in Rhode Island, the Corporation should partner with experienced providers to ensure not only that broadband networks	The Corporation will consider proposers qualifications, including experience, as part of the Subgrantee Selection

Section	Comment	Response
	will be built quickly, correctly, and efficiently, but also that Rhode Island residents will receive service over them for years to come.	Process.
2.1	Use funds for strategic enhancement of middle-mile infrastructure and use of open-access models.	IIJA and NTIA require BEAD funds be prioritized for last mile projects. While proposers may utilize funds for middle mile projects, these projects need to have last-mile end points that provide service to unserved and/or underserved locations.
2.1	Support for awarding proposers with a history of effective public private partnerships	<i>No response or action required</i>
2.1	Opposes symmetrical speed requirements (100/100 Mbps) because there's no evidence that consumers will demand symmetrical upload. The Corporation should consider "the best tool for the job" which may be FWA, which would be excluded by symmetrical requirements.	Rhode Island intends to use BEAD funds to build future-proofed networks. Technology that has the ability to provide symmetrical speeds is required in order for the network to be considered future-proofed.
2.1	100/100 symmetrical speeds align with consumer expectations and home broadband needs better than FCC's proposed national broadband speeds	<i>No response or action required</i>
2.1	Corporation must be aware of adoption needs and digital equity / skills training that will emerge from universal access, and while RICC does not anticipate non-deployment activities, it should be aware of the work needed in the next few years.	The Corporation is aware of digital equity work needed to increase adoption. Rhode Island intends to use BEAD funds for non-deployment activities, should monies remain after all deployment projects have been awarded. In addition to BEAD,

Section	Comment	Response
		the Corporation will receive funding via the Digital Equity Act to support equitable adoption activities.
2.1	Digital literacy initiatives have already helped 2,800+ people, as supported via ARPA funding. Public agencies and government services require some degree of digital literacy to apply for services online.	The Corporation is aware of digital equity work needed to increase digital literacy. Rhode Island intends to use BEAD funds for non-deployment activities, should monies remain after all deployment projects have been awarded. In addition to BEAD, the Corporation will receive funding via the Digital Equity Act to support digital literacy activities.
2.2	Narragansett Indian Tribe requests additional engagement	The Corporation has engaged directly with the Tribe via the contact information provided
2.2	The Corporation has done a great job hearing the needs of local communities and receiving the input of CAIs through community events, focus groups, individual check-in meetings, and more.	<i>No response or action required</i>
2.3	Support for the Corporation's outreach efforts and transparency of the Corporation.	<i>No response or action required</i>
2.3	ACP enrollment numbers are relatively low (vs. awareness) and more funds should be allocated to help CAIs enroll people.	The Corporation has other projects underway to improve ACP enrollment. Rhode Island ACP enrollment is currently amongst the highest in the nation and has grown by at least 18pp because of the

Section	Comment	Response
		Corporation's efforts.
2.4.1	Define "any ISP that is currently licensed." "Licensing" typically applies to electromagnetic spectrum. IP / VOIP service are not regulated in RI, which could attract new marketplace entrants.	Proposers must be registered to conduct business within Rhode Island.
2.4.1	Clarify the milestones needed for reimbursement. Industry standard is net 30 terms for Capex.	The Corporation anticipates that the subaward will require the subgrantee to provide proof of having spent 50% of its matching funds commitment on the Project prior to any distribution of BEAD funding.
2.4.1	Encourages Corporation to not tilt the playing field in a way that discourages participation by private sector entities.	NTIA requires the Corporation to be neutral on this issue.
2.4.2	Assign higher scores to proposals that benefit more CAIs than other proposals	Proposers are required to serve all locations within a project area unit, which include both BSLs and CAIs.
2.4.2	Consider other technologies that offer reliable broadband at similar or better speeds vs. fiber	NTIA requires Rhode Island to prioritize end-to-end Fiber optic infrastructure (see BEAD NOFO, page 42).
2.4.2	Reconsider limiting Round 1 to only fiber providers as affordability could be greatly affected by the ability of FWA providers to bid for projects	The NTIA requires Rhode Island to prioritize end-to-end Fiber optic infrastructure (see BEAD NOFO, page 42).
2.4.2	Allow providers to submit project bids that utilizes a mixture of technologies to maximize fiber and BEAD funds. That would mean that areas below the EHCPLT would be non-fiber.	This suggestion is not compliant with NTIA rules. Locations below the EHCPLT may only be served via Priority Broadband Projects.
2.4.2	Corporation should not wait until Final Proposal to deliver requirements for	The Corporation has included detailed Scoring Criteria in the

Section	Comment	Response
	selection	Initial Proposal.
2.4.2	<p>Affordability - \$30 is not affordable and other states have assigned higher scores to lower costs.</p> <p>Assign more points to those providers who offer free service during BEAD performance period.</p>	BEAD subgrantees are required to offer a Low-Cost Broadband Service Option. With ACP’s subsidy, the Low-Cost Option would be free to qualifying subscribers. See Section 2.12.
2.4.2	Prioritize proposals that commit to not raising the cost of the low-cost option through BEAD performance period.	BEAD subgrantees are required to offer a Low-Cost Broadband Service Option. See Section 2.12.
2.4.2	Reduce points for Affordability – it would be a “race to the bottom” that would not be sustainable for maintaining the network	The Initial Proposal explains Rhode Island’s interest in expanding affordability. Additionally, Affordability is a central tenant of BEAD.
2.4.2	Prioritizing Affordability is against the IJA’s prohibition of “rate regulation.”	NTIA and the BEAD NOFO require the Corporation to consider Affordability. The Corporation will not set rates but will incentivize ISPs to offer affordable prices to Rhode Islanders.
2.4.2	Corporation should prioritize scoring criteria that disincentivizes monopoly pricing, and encouraging providers to offer a low-income option is imperative.	BEAD is designed to ensure all locations are served via high-speed, reliable broadband.
2.4.2	Corporation should award half the points to applicants that are testing a new price or product vs. those that submit their normal rate. Market dynamics in these locations will likely not be supported by “unrealistic business plans” because of smaller revenue streams.	Proposers should submit the most affordable rate they can offer Rhode Islanders. As stated in the Initial Proposal, the Corporation will evaluate business plans to ensure the viability of Proposers’ plans.

Section	Comment	Response
2.4.2	Corporation should advantage proposers who offer the same rates for subsidized and unsubsidized rather than setting lower or higher prices than usual.	The Corporation has required proposers to offer the same rates to subsidized and unsubsidized households.
2.4.2	Reduce points for Minimum BEAD Outlay	The Corporation seeks to use federal dollars as cost efficiently as possible and, therefore, believes Minimum BEAD Outlay is one of the most important criteria.
2.4.2	Minimum BEAD Outlay – clarify that the dollar value will be based on cost per BSL. Otherwise, the Corporation will be incentivizing smaller projects.	Subgrants will be awarded for Project Area Units (PAUs), not for individual locations. Subgrantees must build to all eligible locations within a PAU. The Corporation will compare the BEAD Outlays from various proposers for each PAU.
2.4.2	Prioritize Minimum BEAD Outlay over Affordability	The Initial Proposal explains Rhode Island’s interest in expanding affordability. Additionally, Affordability is a central tenant of BEAD.
2.4.2	Minimum BEAD Outlay should have 50 points	Both Affordability and Minimum BEAD Outlay are important priorities for the Corporation. The Corporation’s point structure balances these priorities based on the State’s and NTIA’s objectives.
2.4.2	Minimum BEAD Outlay scores should prioritize match (lowest % of total costs requested from BEAD means the highest match)	The Corporation seeks to use federal dollars as cost efficiently as possible. Therefore, the Corporation seeks to minimize BEAD Outlays

Section	Comment	Response
		on a dollar basis. All Proposers will be required to provide at least a 25 percent match.
2.4.2	Increase points for Fair Labor Practices – only awarding 10 points does not adequately prioritize providers who hire experienced and skilled personnel. Also, give weight to union-represented labor.	The Corporation has increased points for Fair Labor Practice to 15 points. Please note that the Fair Labor Practices selection criteria, as mandated by NTIA, regards only compliance with federal labor and employment law. The Corporation expects most proposers will have similar compliance with such laws. The Corporation will award additional points for labor practices within the Equitable Workforce Development and Job Quality Criteria.
2.4.2	Monetary investment in a skilled, diverse workforce will help the state’s economic goals and benefit communities	The Corporation will award points to proposers who invest in a skilled, diverse workforce under the Equitable Workforce Development and Job Quality Criteria. Further details regarding the Corporation’s workforce readiness initiatives may be found in Section 2.8.
2.4.2	Disagree with the inclusion of open access – it doesn’t make sense as a model for the high-cost less densely populated areas to be served by BEAD.	Proposers are not required to operate an open access network.
2.4.2	Open Access should not have any points.	Proposers are not required to operate an open access network.

Section	Comment	Response
2.4.2	Award points to providers that use their own funds to extend network deployment (i.e., CT Economic Development Impact)	The Corporation has adopted this recommendation to incentivize additional non-BEAD funded deployments. See “Community Impact” criterion.
2.4.2	Remove Open Access, or reduce to 2.5 points, with 1 point going toward details re: open access, 1 point going toward wholesale rates, and 0.5 point going to identification of ISP partners	Proposers are not required to operate an open access network.
2.4.2	Support open access and the transparency of maps of open access providers in the state.	<i>No action or response required</i>
2.4.2	Corporation must adopt rules promoting competition, so must adopt Open Access	<i>No action or response required</i>
2.4.2	Recommends Kansas’s draft for evaluating local coordination, 5 points for community engagement and 2 points for letters of support.	<i>No action or response required</i>
2.4.2	Ongoing local coordination / engagement during subgrantee selection and implementation is necessary for ensuring BEAD funds are getting to communities and to build trust with providers.	<i>No action or response required</i>
2.4.2	Speed to Deployment should be a top priority among secondary criteria	Rhode Island is a small state with relatively few eligible BSLs (in comparison to other states); the Corporation anticipates that most Proposers will have similar speeds of deployment.
2.4.2	Include climate concerns in scoring model. FWA can address these challenges in a less costly and time-consuming way vs. fiber. A white paper by [Redacted] claims that FWA generates 55% less	The Corporation, within both Subgrantee Selection (Section 2.8) and Climate Assessment (Section 2.11), already requires all Proposers to comply with

Section	Comment	Response
	cumulative carbon emissions vs. FTTH.	standards developed because of climate concerns.
2.4.2	Evaluate service quality in scoring criteria like technical support, enforceable SLAs, optimized Wi-Fi spectrum design. Points that award solutions that provide superior network mgmt. practices. This would advantage Managed Wi-Fi	Minimum service qualities are described in the BEAD NOFO, which subgrantees are bound by.
2.4.2	Assess non-fiber options using objective criteria. Perhaps speed performance tiers can help segregate non-fiber options.	The Corporation will assess non-fiber projects based on their current and anticipated capabilities.
2.4.2	Require marketing plan / public awareness from subgrantees	This is a requirement of NTIA for Subgrantees and the Corporation requires Subgrantees to adhere to all NTIA rules and regulations.
2.4.2	Corporation should ask for cost per unit in proposals involving MDU BSLs and proposals should include cost per customer served and compare the difference of bulk pricing vs. by unit.	The Corporation seeks to use federal dollars as cost efficiently as possible and, therefore, will evaluate overall costs for Project Area Units via the Minimum BEAD Outlay criteria. Proposers are required to connect all eligible locations within a PAU.
2.4.2	Revisit the requirement to specify incremental cost to serve CAIs in each PAU and allow proposers to aggregate the cost of serving of CAIs, which would be more practical. Otherwise, evaluate bids that include all CAIs in the PAU, because the proposers would be on equal footing in terms of the locations served. If CAIs need to be cut out, assume that	The Corporation has clarified that the Initial Proposal requires Proposers to submit the requested BEAD Outlay for building to all eligible locations (unserved/ underserved BSLs & CAIs) in a PAU and with building to only the unserved/ underserved BSLs in a PAU. The

Section	Comment	Response
	proposals will be the same cost relative to one another.	Corporation will request this information to ensure it has sufficient funds to connect all Unserved and Underserved BSLs, as required by NTIA.
2.4.2	Not connecting all units in an MDU would violate the low-cost broadband stipulation that there would be not be additional non-recurring costs. Proposers should be asked how they are going to ensure all units have access and if they will have additional costs associated with connecting units.	The Corporation already prohibits Proposers from charging consumers at BEAD-eligible BSLs with connect costs; this include connect costs in MDUs.
2.4.2	Suggests mandating or giving preference to providers that give the ownership of an MDU's internal wiring to the owner of the MDU, to allow for competition.	BEAD funds are only eligible for last-mile deployment projects; in-building wiring is not eligible for BEAD subsidy.
2.4.2	Acknowledge the enforcement of a literal 1 Gbps requirement is unrealistic—it's typically 940/880 Mbps	The NTIA has established the "80/80 Rule" which affords margin around requirements. The Corporation anticipates 940/880 Mbps will be considered within this margin of error but requires further guidance from NTIA. The Corporation has added language within the Initial Proposal to this regard.
2.4.2	Evaluate Minium BEAD Outlay and costs and separate out the cost of labor so as not to pressure proposers to lower labor costs.	The Corporation seeks to use federal dollars as cost efficiently as possible and, therefore, believes Minimum BEAD Outlay should be evaluated wholistically.
2.4.2	Lack of specificity for scoring labor	The Corporation reviewed and

Section	Comment	Response
	<p>factors. Encourage public comment before final scoring rubric. Recommendations for how to allocate points included in the attachment.</p>	<p>considered recommendations. NTIA does not permit additional time for further Public Comment.</p>
2.4.5	<p>Continue to work with ISPs and understand the impact of supply chain issues as it relates to BABA and relevant waivers needed to complete BEAD projects.</p>	<p>The Corporation seeks to minimize costs and barriers to network deployment. Please see Section 2.10 for further details on cost and barrier reduction.</p>
2.4.6	<p>The second round RFP helps reflect the transparency of the process and redirect interest to PAUs that don't receive interest in round 1.</p>	<p><i>No action or response required</i></p>
2.4.6	<p>Allow subgrantees to connect <i>categories</i> of CAIs across PAUs without requiring connecting every location in the PAU</p>	<p>The Corporation seeks to connect locations as cost effectively as possible. Connecting CAIs and BSLs separately would be antithetical to this goal, given their geographic proximity and ability to use similar networks.</p>
2.4.6	<p>Allow certain PAUs to be severable from the PA (opposite of CPAU)</p>	<p>PAUs that are not classified as CPAUs are already considered severable from the PA.</p>
2.4.6	<p>Use Census Blocks to define PAUs or allow providers to define their own PAUs, as providers will see networks that are not immediately apparent to the State. This will increase accessibility to small providers, allow cost savings by prioritizing Minimal BEAD Outlay, and help target the EHCPLT.</p>	<p>The Corporation seeks to design project areas that permit efficient use of BEAD funds while also enabling efficient administration. The Corporation believes PAUs at the location or Census Block level do not meet this goal. Given the limited number of BEAD-eligible locations in Rhode Island (compared to other states), the</p>

Section	Comment	Response
		Corporation believes providers of all sizes will be able to participate.
2.4.6	Proposed project areas should get a public comment period before finalization. Could allow Corporation to gain more insight into true broadband needs across the state	The NTIA has defined strict timelines for BEAD and has not included sufficient time for such a public comment period.
2.4.9	Fold PAUs that don't get proposals into EHCPLT designation	The Corporation will set the EHCPLT prior to the Second RFP, in order to ensure eligible locations with PAUs without proposals are connected.
2.4.9	Set the EHCPLT in advance so as to maximize savings that will allow for deployment.	Based on NTIA's rules and the State's objectives, the Corporation seeks to deploy as much fiber as possible. The Corporation will set the EHCPLT after evaluating proposals to achieve this goal.
2.4.10	Set EHCPLT to optimize the effectiveness of public funds in promoting the State's broadband and digital economy strategies, not at some artificially high threshold that leaves unserved locations unserved and wastes public funding overbuilding locations that are already served	The Corporation's approach comports with this comment. The Corporation will set the EHCPLT to balance its goals of deploying as much fiber as possible (based on NTIA's rules) and using funds efficiently so as to ensure all unserved/underserved locations are connected.
2.4.11	Rhode Island should find that a Letter of Credit ("LOC") is only required when there are legitimate concerns about an applicant's ability to meet a series of financial health criteria. For example, two	The Corporation has adopted NTIA's latest guidance regarding Letters of Credit,

Section	Comment	Response
	<p>years of publicly available audited financial statements, which could be at the parent company level, should be sufficient to gauge an applicant’s financial health and determine whether an LOC should be required to ensure the applicant has sufficient resources to complete a funded project. Rhode Island could also adopt a menu of alternative forms including comfort letters from a financial institution, parental guarantees, or other requirements, as Virginia proposes. Encourage Corporation to adopt recently revised NTIA guidance and not requiring LOC or alternative until after selecting an applicant for approval</p>	
2.4.11	<p>The Corporation should treat any information submitted by a broadband provider that contains confidential commercial data or information as exempt from disclosure under state open records laws and other applicable statutes or provisions.</p>	<p>The Corporation had stated that Proposers may note information that is confidential and, as such, should be exempt from disclosure.</p>
2.4.11	<p>Requiring 3 years of audited financials goes beyond the NOFO and should be reconsidered as they are costly. Audited financial information should be available as an appropriate point of time, but not as table stakes for the proposal.</p>	<p>The Corporation requires audited financial information to qualify a proposer so as to avoid defaults after awards have been made.</p>
2.4.13	<p>Confirming that in-kind matches contribute to the 25% match requirement. How will in-kind matches be assessed? What methods of valuation approaches will be allowable?</p>	<p>Yes, in-kind matches are permitted. Please refer to the BEAD NOFO at 21 for further details regarding in-kind contributions.</p>
2.4.13	<p>Is “functional system” the intended</p>	<p>The Corporation requires</p>

Section	Comment	Response
	language in Section 2.4.13. If so, are these requirements in the context of the entirety of the RI BEAD program or narrowed to the disbursement process (“documentation”)	Proposers to submit a Proposed Project Workplan. Such documentation must include how Proposers intend to satisfy the Corporation’s functional system needs. Such needs will be further articulated in the Request for Proposal.
2.5	Set an EHCPLT that will cover all locations and use the remaining funds on digital adoption work and replacing the ACP.	BEAD is a deployment program first and foremost. The Corporation plans to adhere to this spirit but hopes to have funds remaining to support non-deployment activities.
2.5	Suggests using non-deployment funds for Wi-Fi infrastructure in low-income MDUs	The Corporation added the installation of Wi-Fi in low-income MDUs as a potential non-deployment activity (as permitted by BEAD NOFO, p. 33).
2.5	Corporation should invest in affordable Internet and device programs across Rhode Island to guarantee that price is not a barrier to home broadband connections.	The Corporation added affordable Internet and device programs as potential non-deployment activities.
2.5	Some BEAD funding should be intentionally left for non-deployment activities to cover digital equity plans, giving priority to multi-lingual outreach to support adoption and digital literacy, digital navigators, user training with respect to cybersecurity, privacy, and other digital safety matters, and digital literacy/upskilling (from beginner-level to advanced).	BEAD is a deployment program first and foremost. The Corporation plans to adhere to this spirit but hopes to have funds remaining to support non-deployment activities. All suggested non-deployment activities enumerated are already included within the Initial Proposal.

Section	Comment	Response
2.5	Wants to overbuild places that already have reliable broadband before devoting funds to non-deployment	IIJA and NTIA do not permit funds for this purpose.
2.5	Funds should be used to support network resilience / hardening	IIJA and NTIA do not permit funds for this purpose, unless upgrades are associated with unserved or underserved locations (see BEAD NOFO, p. 33).
2.5	Rhode Island should not invest in fiber and instead save money with FWA, which would allow it to fund a digital equity program. So it needs to change scoring criteria / set an EHCPLT to advantage FWA.	NTIA requires Rhode Island to prioritize end-to-end Fiber optic infrastructure (see BEAD NOFO, page 42).
2.7	Require documentation of compliance and disclosure of any violations on ALL broadband projects; mandate collection of any utility state law violations	The Corporation adopted this recommendation.
2.7	Clarify that records of contractors and subcontractors should be disclosed as well	The Corporation already required labor standards to apply to contractors and subcontractors.
2.7	Worker-led health and safety committee provisions are not specific enough. These should be contractually mandated.	The Corporation clarified its language regarding worker-led health and safety committees.
2.7	Workforce plans in 2.7 should be binding legal commitments enforceable through the grant contract	The Corporation adopted this recommendation.
2.7	Recommends the Corporation take a flexible approach to NOFO guidance about labor standards, recognizing that creating a checklist of requirements may be unnecessarily restrictive and inappropriate for some employers.	The Corporation seeks to balance competing interests in setting its Mandatory Labor and Employment Measures. The Corporation notes, for example, that it has not mandated the

Section	Comment	Response
		use of unionized labor forces, despite public comments urging the Corporation to do so, to avoid restricting the participation of some employers.
2.8	Broadband Nation is a platform to attract and train new talent in the broadband industries. They will work to amplify existing training programs and job opportunities available from industry partners.	The Corporation is aware of Broadband Nation and will consider participating at the appropriate time.
2.8	Partnership with union can offer pre-apprenticeships and partnerships with targeted communities, including reentry programs and veterans	The Corporation has already engaged with Unions to develop apprenticeship and training programs.
2.8	Ensure that people with criminal records are able to participate in all workforce development efforts and new job growth.	The Corporation clarified language regarding workforce readiness to include people with criminal records.
2.9	Letter of Credit requirement has a negative impact on MBE/WBEs	The Corporation has adopted NTIA’s latest guidance regarding Letters of Credit,
2.10	Suggest adopting batch permit standards similar to legislative changes in CA that reduce delays and save money.	While the Corporation appreciates this comment, the Corporation is unable to adopt legislation, which is the responsibility of the RI General Assembly.
2.10	ISP would like to share “best practices” that would help streamlining permitting practices that they’ve learned from dealing with RI PUC, DPUC, and RIDOT.	The Corporation will engage with ISP to understand permitting best practices.
2.10	Suggest promoting policies like “micro-trenching, setting smart street restoration	As described within this Initial Proposal, the Corporation will

Section	Comment	Response
	obligations, focusing application fees on actual costs, and implementing expedited review of zoning and permitting applications. Transparent review procedures for all project-related documentation will enhance efficiency and project predictability.”	encourage proposers to reduce costs and will support subgrantees in expediting the permitting process.
2.10	Ensure that municipalities have the resources needed to process permits quickly, or receive grants to hire or incorporate technologies that can help	The Corporation has already allocated \$1M to support municipalities in their review of permits (see Section 2.10).
2.10	ROW fees may inhibit deployment / network design because poles require prohibitive fees and underground wouldn't, which isn't necessarily the most efficient use of funds.	The Corporation is committed to reducing ROW fees, as outlined within the Initial Proposal.
2.10	Access to poles and public ROW is a challenge to providers; the Corporation should work with pole owners to manage ROW and facilities and not allow them to deny access for competitive reasons	The Corporation will help Subgrantees avoid delays and excessive costs. See Section 2.10 for further details.
2.10	Suggests using the Broadband Ready Communities (BRC) model to give Municipalities a tool to handle bureaucratic approvals. The model designates a single point of contact, lays out timeline commitments and defines reasonable fees for permits. See: https://www.pewtrusts.org/-/media/assets/2023/04/broadband-ready-communities-ta-memo-pdf.pdf	The Corporation has already committed to working with Municipalities to ensure they are ready to support broadband deployments.
2.11	Next-generation Fixed Wireless Access (ngFWA) has overcome challenges to maintain service during inclement	NTIA requires Rhode Island to prioritize end-to-end Fiber optic infrastructure (see BEAD

Section	Comment	Response
	weather. RICC should make sure that broadband investments in FWA should be robust to adverse weather.	NOFO, page 42).
2.12	Participating in ACP should be sufficient for the requirement of subgrantees to offer low-cost broadband. The Corporation should be aware of rate regulation prohibition.	The Corporation has largely adopted NTIA’s model for the Low-Cost Broadband Service Option, which includes requiring participation in ACP.
2.12	Suggests pricing below the FCC Urban Rate Comparability benchmark to determine the threshold for low-cost broadband option	The Corporation has largely adopted NTIA’s model for the Low-Cost Broadband Service Option.
2.12	Include periodic rate adjustments if moving forward with \$30 low-cost plan based on Consumer Price Index	The Corporation has revised the Low-Cost Broadband Service Option should ACP expire to include inflation, based on the annual Personal Consumption Expenditures (PCE) Price Index for services excluding energy and housing, as published by U.S. Commerce Bureau of Economic Analysis.
2.12	Include reasonable limits on the duration of the required plan and adjustments—no more than 5 years from award.	The Corporation has required participation in the Low-Cost Broadband Service Option for the useful life of the network, which will be defined in the forthcoming NTIA Guidance.
2.12	Requiring a low-cost broadband option in a post-ACP world would be impractical because qualifying consumers wouldn’t get the subsidy to afford it anyway. Some ISPs have a low-cost option that already exists.	The Corporation believes that, should Congress not extend ACP, qualifying Rhode Islanders should still have access to a Low-Cost Option.
2.12	In support of the low-cost broadband	<i>No action or response required</i>

Section	Comment	Response
	option available to HHs with low income	
2.12	Low-Income initiatives from providers do not offer quality broadband, and they often have few options in their price points. If adults get a better job, they would lose their internet option and slip through the cracks.	In addition to the Low-Cost Option, the Corporation will incentivize providers to offer affordable plans through prioritization of Affordability criterion.
2.13	Prioritizing Open Access in subgrantee selection will increase the availability of retail options for middle class families.	The Corporation has already prioritized Open Access via the Subgrantee Selection Process. See Section 2.4.
2.13	The Corporation should not define a middle class rate, but can confirm that BEAD funded service is at or below the FCC’s “reasonable comparability” benchmark.	The Corporation will use selection criteria to ensure Middle Class Affordability. The Corporation will award more points to Proposers with more affordable plans, but Proposers are free to set whatever rates they wish.
2.13	Support for Middle Class Affordability Plan	<i>No action or response required</i>
2.15	On July 5, 2023, NTIA published a Request for Comment regarding tailoring the Uniform Guidance to the BEAD program, but has not yet issued final guidance on this matter. The Proposal should reflect that NTIA’s final guidance will apply to the State’s BEAD program as well. This includes treating awards to subgrantees as fixed amount subawards for purposes of Part 200, regardless of any specific reimbursement terms in the underlying contracts or Proposal. Doing so will minimize conflicting or unnecessary requirements and processes that	The Corporation has noted that it will require will Subgrantees to comply with NTIA’s rules, including the forthcoming, “Tailoring the Application of the Uniform Guidance to the BEAD Program.”

Section	Comment	Response
	<p>otherwise would increase burdens for both the Corporation and providers and reduce the overall efficacy of the BEAD program, while providing the Corporation with sufficient oversight to prevent waste, fraud, and abuse.</p>	
2.16	<p>Commentor has developed standard for supply chain risk management and cybersecurity and suggests that the Corporation require that subgrantees have operational Cybersecurity and SCRM plans, using standard to evaluate compliance plans.</p>	<p>The Corporation already requires Subgrantees to deploy networks that are secure and protected against cyber threats.</p>
2.16	<p>Incorporate local governments and community organizations in the accountability process.</p>	<p>The Corporation has already engaged and will continue to engage throughout the BEAD program with local and tribal governments; such engagement will help ensure accountability.</p>
2.16	<p>Incorporate compliance measures like in WV’s IPV2 that includes past performance in a similar program and past compliance reporting as evidence to determine whether subgrantee can carry out funded activities.</p>	<p>Per Section 2.4.2, past compliance with federal labor and employment law is a part of submittal requirements for Fair Labor Practices.</p>
General	<p>The Corporation should have fiber where feasible but be open to other technologies that reach 100/20 and can scale to 100. Suggests that tiers of alternative broadband speeds would get extra points.</p>	<p>This comment aligns with the Corporation’s existing approach (see Section 2.4 for further details).</p>

2.17.2: Optional Attachment: Supplemental Materials

As an optional attachment, submit supplemental materials to the Volume I submission and provide references to the relevant requirements. Note that only content submitted via text boxes, certifications, and file uploads in sections aligned to Initial Proposal requirements in NTIA Grants Portal will be reviewed, and supplemental materials submitted here are for reference only.

Not applicable