



THE ENABLING MIDDLE MILE BROADBAND INFRASTRUCTURE (MM) PROGRAM OVERVIEW

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Where we are today...

Many Americans lack access to affordable, reliable, high-speed Internet

America runs on high-speed internet. A strong internet connection powers our economy and supports education. It fosters better public health. And, it connects loved ones and strengthens social ties. But not everyone is connected. Too many Americans are cut off from the opportunities that high-speed internet makes possible. That's why we're working to bring high-speed internet to all Americans.



... and where we're going

The Middle Mile (MM) Program includes \$1B for high-speed Internet access

Funded by the Bipartisan Infrastructure Law, the MM Program is a program to expand middle mile infrastructure, to reduce the cost of connecting unserved and underserved areas. Middle mile infrastructure broadly refers to the mid-section of Internet infrastructure that carries large amounts of data at high speeds over long distances. This program will also increase the resilience of Internet infrastructure.

Select MM program details

Eligible entities

- 1 **Government:** States, District of Columbia, Puerto Rico, other territories, Tribal government, local government
- 2 **Industry:** Tech company, electric utility, utility cooperative, public utility district, telecom company/cooperative
- 3 **Non-profits and other associations:** Non-profits, regional planning council, Native entity, or economic development authority
- 4 **Partnerships:** A partnership of two or more entities described above

Example eligible uses of funds

Grants can be used for the construction, improvement, or acquisition of middle mile infrastructure, including:

- 1 Construction, improvement, or acquisition of facilities and equipment
- 2 Engineering design, permitting and work related to project reviews
- 3 Personnel costs, incl. salaries and benefits for staff and consultants
- 4 Other costs necessary to programmatic activities

Timeline

Timeline approximate unless exact date specified





THE ENABLING MIDDLE MILE BROADBAND INFRASTRUCTURE GRANT (MMG) PROGRAM

PROGRAM DETAILS FOR APPLICANTS



MAY 2022



Introduction

Uses of funding

Review and scoring process

Application components and process





INTRODUCTION

Today's webinar will focus on the Middle Mile Program – one of four high-speed internet programs administered by NTIA¹

BEAD	DIGITAL EQUITY	TRIBAL	Today's focus MIDDLE MILE
\$42.45B	\$2.75B	\$2.00B	\$1.00B
Broadband Equity, Access & Deployment Program	Digital Equity Act	Tribal Connectivity Technical Amendments	Enabling Middle Mile Broadband Infrastructure
A program to get all Americans online by funding partnerships between states or territories, communities, and stakeholders to build infrastructure where we need it and increase adoption of high-speed internet.	Three programs that provide funding to promote digital inclusion and advance equity for all. They aim to ensure that all communities can access and use affordable, reliable high-speed internet to meet their needs and improve their lives.	A program to help tribal communities expand high-speed internet access and adoption on tribal lands.	A program to expand middle mile infrastructure, to reduce the cost of connecting unserved and underserved areas.

1. National Telecommunications and Information Administration (NTIA)
 Note: Funding amounts inclusive of all administrative set-asides

Middle Mile Grant Program will invest in the construction, improvement or acquisition of middle mile infrastructure

Funding pool
\$1.00B

A program to expand middle mile infrastructure, to reduce the cost of connecting unserved and underserved areas.

PROGRAM HIGHLIGHTS

Middle mile infrastructure refers to the mid-section of Internet infrastructure that carries large amounts of data at high speeds over long distances and connects the "backbone" of Internet infrastructure to the "last mile", which connects to end users¹

Entities eligible to apply include a wide variety of entities, incl. but not limited to government entities, utilities, companies, and non-profits that provide Internet services

Example uses of funds:

- ☆ Construction, improvement or acquisition of facilities and equipment
- ☆ Engineering design, permitting and work related to projects
- ☆ Personnel costs, including salaries and benefits
- ☆ Other costs necessary to program's activities

ESTIMATED TIMELINE

Timeline approximate unless exact date specified



1. California Department of Technology, "What is the middle mile"? 2. Notice of Funding Opportunity (NOFO), available [here](#).



Middle mile infrastructure broadly means the mid-section of internet infrastructure

Middle mile infrastructure carries large amounts of data at high speeds over long distances²

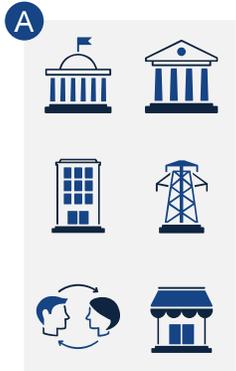
Middle mile infrastructure includes:

- Leased dark fiber, interoffice transport, backhaul, carrier-neutral internet exchange facilities, carrier-neutral submarine cable landing stations, undersea cables, transport connectivity to data centers, special access transport, and other similar services
- Wired or private wireless broadband infrastructure, including microwave capacity, radio tower access, and other services or infrastructure for a private wireless network, e.g., towers, fiber, and microwave links



1. California Department of Technology, "What is the middle mile"?

Middle Mile funding is available to variety of entities and partnerships



The term “eligible entity” means:

Government:

- State, political subdivision of a State, Tribal / Native government

Industry:

- Tech company, electric utility, utility coop, public utility district, telecom company/coop

Non-profits and other associations:

- Non-profit foundation/corporation/institution/association, regional planning council, Native entity, or economic development authority



A partnership of two or more entities described in (A)



Middle Mile program will support broadband access, affordability, and adoption across all Americans



Aggregates large quantities of traffic **between points to improve access**, enabling future investment in infrastructure to reach the end user’s location



Carries traffic to **remote, unserved, or underserved locations** such as Hawaii or American territories, unserved Tribal / Native lands, or simply a neighboring town



Reduces the cost of connecting unserved and underserved areas **expanding and extending infrastructure** to carry large amounts of data to the backbone of the Internet



Unlocks future opportunities for providers to offer cost-effective **last-mile services**



Funds projects in **diverse geographies** and **priority communities**, such as unserved, underserved, remote and high poverty areas

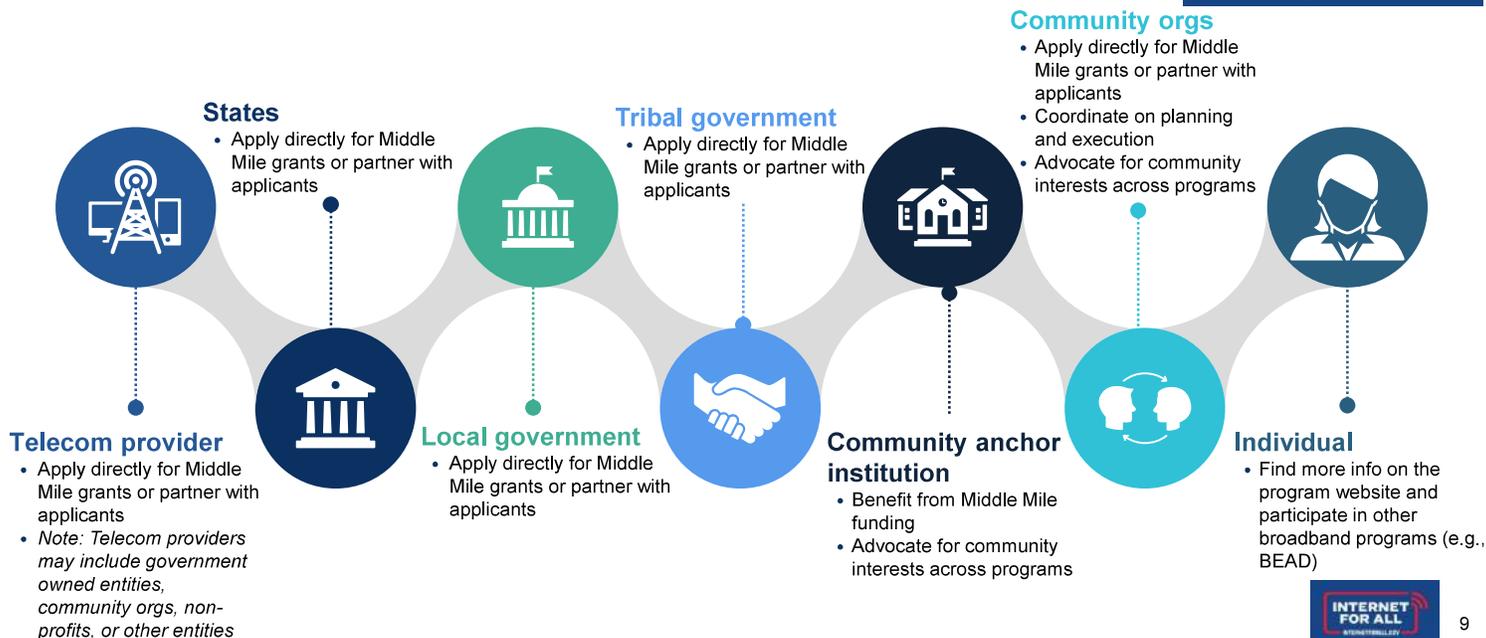


Builds middle mile infrastructure to **connect to last mile services**, including where there are community or anchor tenant commitments to adopt services



This webinar focuses on info for MMG applicants, incl. but not limited to telecom providers, States, local and Tribal governments

Illustrative, non-exhaustive



USES OF FUNDING



NTIA will grant up to \$980M through \$5-100M grants



Funding availability

NTIA will make up to **\$980M** available for federal assistance under the middle mile grants program



Award amount

NTIA expects to make awards under this program within the following funding range: **\$5M to \$100M**

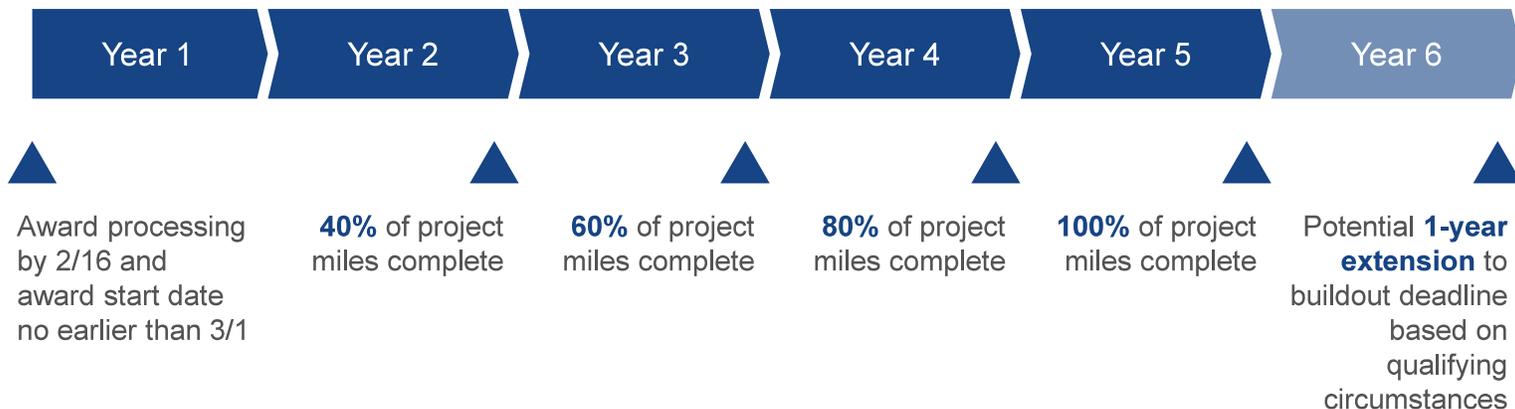
This range is not a required minimum or maximum, but eligible entities requesting amounts for projects outside of this range must provide a reasonable explanation for the variance in their project size

Grants can be used for the construction, improvement, or acquisition of middle mile infrastructure

Non-exhaustive examples of eligible uses of funds:

-  Construction, improvement, and/or acquisition of facilities and telecommunications equipment
-  Engineering design, permitting and work related to environmental, historical and cultural reviews
-  Personnel costs, including salaries and fringe benefits for staff and consultants (e.g., PMs, SMEs, financial analysts, accountants, attorneys)
-  Select pre-application expenses <\$50,000 incurred after NOFO publication and before grant award
-  Other costs necessary to programmatic activities, excluding ineligible costs

Middle Mile projects must be completed and operating no later than five years from when the award is made



The five-year project deadline may be extended by no more than one year under qualifying circumstances

Qualifying circumstances for project extension



The eligible entity has a plan for use of the grant funds;



The project to build out middle mile infrastructure is underway; or



Extenuating circumstances require an extension of time to allow completion of the project to build out middle mile infrastructure



Requests for extensions will be granted at the sole discretion of the Assistant Secretary

If an extension is granted, the Assistant Secretary shall modify any milestones as necessary under the extension



REVIEW AND SCORING PROCESS

Middle mile program review process includes three steps



NTIA ensures applicants are eligible, including verifying:

1. Application is complete
2. Eligible Entity meets eligibility criteria

Reviewers evaluate and score applications on a scale of 0-100 across two categories of criteria:

1. Project purpose and benefits (60 points)
2. Project sustainability (40 points)

NTIA Program Staff review and assess applications in two steps:

1. Ask applicant to submit additional info, as appropriate
2. Assess proposed project and calculate weighted scores

DOC selects projects for funding based on ranked list with potential adjustments for geographic diversity and diversity in award sizes

Transition from step 2 to step 3
NTIA prioritizes projects for programmatic review based on merit review score and whether applications meet 2 of 5 criteria from the statute

1

Eligibility review | Eligible entities must meet five eligibility criteria



First, provide evidence sufficient to demonstrate that it is capable of carrying out a proposed project in a competent manner, incl. by demonstrating financial, technical, and operational capability, per the program applicant qualifications – *detail on next slide*



Second, certify that the project will be capable of **supporting retail broadband service**



Third, commit to **non-Federal cost share of no less than 30%** of the total project cost; only Tribal / Native entities may request a partial or complete waiver



Fourth, make a binding commitment to prioritize at least one of the following:

- 1 Connect middle mile infrastructure to last mile networks in **unserved areas**
- 2 Connect **non-contiguous trust lands**; or
- 3 Offer **wholesale broadband service** at reasonable rates on a carrier-neutral basis.



Fifth, offer **interconnection** in perpetuity, where technically feasible without exceeding current or reasonably anticipated capacity limitations, on reasonable rates and terms



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1

Eligibility review | Eligible entities must meet program applicant qualifications



Prospective grant recipients must meet two program applicant qualifications

Six steps for applicants to demonstrate EE meet qualifications

A Is capable of carrying out the project in a **competent manner**

B Has the **financial, managerial, technical and operational capability** to carry out the project and operate the resulting MMG broadband network

- **Financial capability:** Supply certification attesting to financial qualification, a letter of credit, and financial Statements for past 3 years
- **Managerial capability:** Supply resumes for key personnel, org chart(s), and a narrative describing managerial readiness
- **Technical capability:** Supply certification attesting to technical qualification, a network design diagram, project costs, build-out timeline and milestones for implementation, and a capital investment schedule
- **Compliance with laws:** Demonstrate capability of carrying out activities in a competent manner in compliance with all applicable federal, State, and local laws and permit workers to create worker-led health and safety committees with which management will meet upon reasonable request
- **Operational capability:** Supply certification attesting to operational qualification and additional certifications if applicant has operated select types of services in the past¹
- **Ownership:** Provide ownership info, including name, address, and citizenship of any party with >10% stock in applicant

1. A MMG broadband network for >2 years, voice and/or broadband internet access service, or electric transmission or distribution service



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2

Merit review and prioritization | Reviewers evaluate applications across two categories of criteria



Criteria	Description	Points
Underserved areas or affordability	Deploy to un- or underserved areas or improve affordability in existing markets	20
Interconnection	Offer non-discriminatory interconnection in perpetuity, where feasible	10
Open access wholesale	Offer open access to the funded infrastructure in perpetuity	10
Other benefits	Provide other benefits (e.g., redundancy, direct interconnect facilities)	10
Tech solution and shovel ready	Meet community's needs and complete project in two-year period	10
Total: Project purpose & benefits		60
Org capability	Organizational capability to complete the specific project proposed	5
Budget	Reasonableness of applicant's proposed budget	10
Fiscal sustainability	Project's fiscal sustainability beyond the award period	10
Non-federal cost share	Contribute a non-federal cost share >30% ¹	15
Total: Project sustainability		40

1. Sliding scale with 5 points for 30-40%, 10 points for 41-50%, and 15 points for >50%



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2

Merit review and prioritization | NTIA prioritizes applications based on merit review score and two of five statutory criteria



Projects are prioritized based on merit review score and statutory criteria

- 1 Applications with **score ≥80** during Merit Review and that meet at least **two of the five statutory criteria**
- 2 Other applications with **score ≥80** during Merit Review
- 3 Applications with **score <80** during Merit Review but meet at least **two of the five statutory criteria**

Projects that meet two of five statutory criteria are prioritized for programmatic review

- 1 Adopt **fiscally sustainable** middle mile strategies
- 2 Commit to offering **non-discriminatory interconnect** to last mile broadband providers and any other party making a bona fide request
- 3 Identify **last mile broadband providers** with (i) interest in interconnection; and (ii) sustainable business plans or adequate funding for interconnection
- 4 Identify **supplemental investments or in-kind support** (such as waived franchise or permitting fees) that will accelerate project completion
- 5 Benefit **national security interests** of the US and the Department of Defense



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Programmatic review and selection | NTIA may ask for additional info and calculates weighted scores



First, NTIA may ask applicants to **submit additional information** to confirm eligibility or Merit Review score



Second, NTIA **calculates weighted scores** (i.e., multiply Merit Review by 1.0x to 1.8x) based on eight criteria

Eight criteria assessed in programmatic review to calculate weighted score

- 1 Reduce end-user prices
- 2 Reduce latency in remote or insular areas
- 3 Benefit priority areas and groups
- 4 Benefit unserved areas or Tribal Lands
- 5 Connect unserved anchor institutions
- 6 Comply with select requirements¹
- 7 Demonstrate climate resiliency
- 8 Proposed use of community benefit agreements

1. Requirements related to Fair Labor Practices, Advancing Workforce Development Objectives, and Civil Rights and Non-Discrimination Law Compliance



APPLICATION COMPONENTS AND PROCESS



Project application includes several components

- 1 **Executive summary**, not to exceed two pages or ~1,000 words; NTIA may use all or a portion of the Executive Summary as part of a press release or other public info
- 2 **Project purpose, need, and beneficiaries**, including how the proposal will advance program objectives, proposed routes or service areas, info on existing middle mile offerings, list of anchor institutions and types within 1,000 feet of proposed route (for fiber projects only), etc.
- 3 **Proposed project – technical approach, service area, and build out plan**, including network route map(s), network diagram and system design, technical details, timeline for buildout, etc.
- 4 **Project financials and organization financial capacity**, including project budget and funding, non-federal cost share sources, financials for last 3 years, audit for last year, pro forma, etc.
- 5 **Project implementation team and organizational capacity**, including org charts, management team and key resumes, plans for labor standards and workforce development, etc.
- 6 **Government and community involvement**, including info on coordination with State, Territory, Tribal / Native entities, and local governments and community organizations
- 7 **Budget narrative and detailed budget justification spreadsheet**, including an explanation of the necessity and basis for all costs and reflecting the cost categories on the SF-424C
- 8 **Required forms**, including Standard Form 424: Application for Federal Assistance, Standard Form 424C: Budget Info for Construction Programs, CD-511 Certification Regarding Lobbying etc.

Note: Description of sections are not inclusive of all requirements

NTIA will only accept applications submitted electronically via its online application portal by September 30, 2022



NTIA Application Portal

Applications must be received through the NTIA Application Portal no later than 11:59 p.m. EDT on Sept. 30, 2022

Please contact middlemile@ntia.gov with any questions and nghelpdesk@ntia.gov for technical support with the portal



Application format requirements

- Figures, graphs, images, and pictures should be readable and may be presented in landscape
- Font should be easy to read and 11-point minimum; figures and tables may use smaller type
- One-inch margins on top, bottom, left, and right
- Portrait orientation except for figures, graphs, images, and pictures
- Page size 8 ½ by 11 inches
- All applications must be typed in English



NEXT STEPS

Next steps for applicants related to the Middle Mile Program

- 1 Coordinate with your State or local broadband office
- 2 Submit questions to middlemile@ntia.gov
- 3 Attend future NTIA webinars and engage with NTIA
- 4 Submit an application for the Middle Mile Program by September 30, 2022



For specific inquiries, please contact the appropriate office

Programmatic inquiries

Sarah Bleau
Middle Mile Director
Office of Internet Connectivity and Growth
National Telecommunications and Information Administration
U.S. Department of Commerce
1401 Constitution Avenue, NW
Washington, DC 20230
Phone: (202) 482-2048
Email: middlemile@ntia.gov

Grant management inquiries

Scott McNichol
NIST Grants Officer
Grants Management Division
National Institute of Standards and Technology
325 Broadway
Boulder, CO 80305
Phone: (303) 497-3444
Email: scott.mcnichol@nist.gov

Media inquiries

Stephen F. Yusko
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Office of Public Affairs
National Telecommunications and Information Administration
U.S. Department of Commerce
1401 Constitution Avenue NW,
Room 4897
Washington, DC 20230
Phone: (202) 482-7002
Email: press@ntia.doc.gov



APPENDIX



Applicants must demonstrate their record of and plans to be in compliance with federal labor and employment laws



Information on record of compliance



Information on record of compliance with federal labor and employment laws for applicant and any other participating entities



Certification of past compliance



Certification from Officer / Director-level employee evidencing compliance with federal labor and employment laws



Written disclosure



Written disclosure of any instances in which the applicant has been found to have violated laws



Plan for ensuring compliance



A written plan for ensuring compliance with Federal labor and employment laws across applicant and its contractors and subcontracts

Applicants must make appropriate investments to develop a skilled and diverse workforce



Use of highly trained workforce

Description of how applicant will use a highly trained workforce capable of carrying out Middle Mile Program work in a manner that is safe and effective



Participation in partnerships

Description of the applicant's participation in partnerships that provide skills-based training and wrap-around services to support workers



Job availability to diverse worker pool

Description of how the applicant will ensure job opportunities created by broadband funding programs are available to a diverse pool of workers



Other workforce development activities

Description of other workforce development activities (e.g., Registered Apprenticeships, hiring of local workers, etc.)

Applicants must demonstrate that they sufficiently account for current and future weather- and climate-related risks



Identify **geographic areas** for an initial hazard screening and time scales for such screenings



Identify the most important **weather and climate hazards** in these areas



Characterize **risks to new middle mile infrastructure** for 20 years following deployment



Identify how the proposed plan will **avoid or mitigate the risks** identified



Detail the applicant's plans for periodically **repeating this process** over the life of the project



Enabling Middle Mile Broadband Infrastructure (MM)

Frequently Asked Questions (FAQs)

The Enabling Middle Mile Broadband Infrastructure Program (MM), authorized by the Infrastructure Investment and Jobs Act of 2021, Division F, Title IV (November 15, 2021) (Act) also known as the Bipartisan Infrastructure Law, provides federal funding for grants on a technology-neutral, competitive basis to eligible entities for the construction, improvement, or acquisition of middle mile infrastructure. The following document is the first in a series of FAQ documents intended to clarify and provide guidance on information set forth in the Notice of Funding Opportunity (NOFO) on May 13, 2022. Following the release of this document, further questions may be submitted to middlemile@ntia.gov for consideration to include in future FAQ documents.

The below FAQs are for informational purposes only and are intended solely to assist potential applicants in better understanding the National Telecommunications and Information Administration (NTIA) Enabling Middle Mile Broadband Infrastructure Program and the application requirements set forth in the Notice of Funding Opportunity (NOFO) for this program. The FAQs do not and are not intended to supersede, modify, or otherwise alter applicable statutory or regulatory requirements, or the specific application requirements set forth in the NOFO. In all cases, statutory and regulatory mandates, and the requirements set forth in the NOFO, shall prevail over any inconsistencies contained in the below FAQs.

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1 Overview

1.1 What is middle mile infrastructure?

As defined in Section I.B.9 of the NOFO, middle mile infrastructure means any broadband infrastructure that does not connect directly to an end-user location, including an anchor institution; and includes— (i) leased dark fiber, interoffice transport, backhaul, carrier-neutral internet exchange facilities, carrier-neutral submarine cable landing stations, undersea cables, transport connectivity to data centers, special access transport, and other similar services; and (ii) wired or private wireless broadband infrastructure, including microwave capacity, radio tower access, and other services or infrastructure for a private wireless broadband network, such as towers, fiber, and microwave links.

1.2 Why is middle mile infrastructure important, and how does middle mile infrastructure impact broadband services?

As described in Section I.A of the NOFO, middle mile infrastructure does not reach the end user's location, but typically aggregates large quantities of traffic for carriage between points that can be relatively close together or far apart. Middle mile infrastructure might carry traffic via undersea cable to remote locations such as Hawaii or American territories and possessions elsewhere in the Pacific, may "backhaul" wireless traffic from an antenna mounted on a tower to the provider's wired network, may bring the internet to previously unserved Tribal or Native lands, or may simply connect neighboring towns. Middle mile connections are crucial to broadband connectivity.

1.3 What types of entities offer middle mile services?

As described in Section I.A of the NOFO, middle mile services might be offered by a wide range of entities, from traditional Internet Service Providers, large technology companies that do not offer retail broadband at all, or electric utilities that increasingly recognize their capability to transform the communications market.

1.4 What is the Enabling Middle Mile Broadband Infrastructure Program?

As described in Section I of the NOFO, the Enabling Middle Mile Broadband Infrastructure Program (Middle Mile Grants Program) provides federal funding for grants on a technology-neutral, competitive basis to eligible entities for the construction, improvement, or acquisition of middle mile infrastructure.

1.5 Why is the federal government funding middle mile infrastructure?

As described in Section I.A of the NOFO, too many Americans are cut off from the opportunities that high-speed internet makes possible. Funded by the Bipartisan Infrastructure Law and administered by the Department of Commerce's National Telecommunications and Information Administration (NTIA), the Middle Mile Grants Program is a program to expand middle mile infrastructure and to reduce the cost of connecting unserved and underserved areas. Middle mile infrastructure broadly refers to the mid-section of Internet infrastructure that carries large amounts of data at high speeds over long distances. This program will also increase the resilience of Internet infrastructure.

2 Eligibility and Program Details

2.1 Who can apply for funding under the Middle Mile Grants Program?

As defined in Section I.B.9 of the NOFO, a State, political subdivision of a State, Tribal government, technology company, electric utility, utility cooperative, public utility district, telecommunications company, telecommunications cooperative, nonprofit foundation, nonprofit corporation, nonprofit institution, nonprofit association, regional planning council, Native entity, or economic development authority; or a partnership of two or more entities described above can apply for funding under the Middle Mile Grants Program as an eligible entity.

2.2 What is the cost sharing or matching requirement for eligible entities, and what type of matching funds count towards the cost sharing or matching requirement?

As described in Section III.C of the NOFO, the amount of a middle mile grant awarded to an eligible entity may not exceed 70% of the total project costs. This means that there is a 30% match requirement. This is one of the law's threshold eligibility criteria for the Middle Mile Grants Program. Exceptions to matching requirements will not be entertained except for grants made to Tribal Governments and Native entities.

Matching funds may be in the form of either cash or in-kind contributions. In-kind contributions are non-cash donations of property, goods, or services, which benefit a federally assisted project. In-kind contributions could include employee or volunteer services; equipment; supplies; indirect costs; computer hardware and software; and use of facilities.

2.3 What are the requirements for eligible entities related to fair labor practices?

As described in Section III.H of the NOFO, applicants must have a demonstrated record of and plans to be in compliance with federal labor and employment laws and must provide:

- Information on the record of compliance with federal labor and employment laws for applicant and any other participating entities;
- Certification from Officer / Director-level employee evidencing consistent past compliance with applicable federal labor and employment laws;
- Written disclosure of any instances in which the applicant has been found to have violated applicable laws; and
- Written plan for ensuring compliance with Federal labor and employment laws across applicant and its contractors and subcontracts.

2.4 What are the requirements for eligible entities related to objectives for a highly skilled workforce?

As described in Section III.I of the NOFO, applicants must make appropriate investments to develop a skilled and diverse workforce, including:

- Description of how applicant will use a highly trained workforce capable of carrying out Middle Mile Grants Program work in a manner that is safe and effective;
- Description of the applicant's participation in partnerships that provide skills-based training and wrap-around services to support workers;

- Description of how the applicant will ensure job opportunities created by broadband funding programs are available to a diverse pool of workers; and
- Description of other workforce development activities (e.g., Registered Apprenticeships, hiring of local workers, etc.).

2.5 What are the requirements for eligible entities related to climate resilience?

As described in Section III.K of the NOFO, applicants must demonstrate that they sufficiently account for current and future weather- and climate-related risks, including:

- Identifying geographic areas for an initial hazard screening and time scales for such screenings;
- Identifying the most important weather and climate hazards in these areas;
- Characterizing risks to new middle mile infrastructure for 20 years following deployment;
- Identifying how the proposed plan will avoid or mitigate the risks identified; and
- Detailing the applicant's plans for periodically repeating this process over the life of the project.

3 Uses of Funding

3.1 How much funding is available under the Middle Mile Grants Program, and how much funding will be awarded per grant?

As described in Section II.A and II.C of the NOFO, NTIA will make up to \$980M available for federal assistance under the middle mile grants program. NTIA retains 2% of the appropriated funds to support the administration of the grant program, from pre-award, through application review, and post award.

NTIA expects to make awards under this program within \$5M to \$100M per grant. This range is not a required minimum or maximum, but eligible entities requesting amounts for projects outside of this range must provide a reasonable explanation for the variance in their project size.

3.2 What are the eligible uses of funding for Middle Mile grants?

As described in Section IV.I.1 of the NOFO, grants can be used for the construction, improvement, or acquisition of middle mile infrastructure. Examples of eligible uses of funds include the construction, improvement, and/or acquisition of facilities and telecommunications equipment, engineering design, permitting and work related to environmental, historical and cultural reviews, personnel costs, including salaries and fringe benefits for staff and consultants (e.g., project managers, subject matter experts, financial analysts, accountants, attorneys), select pre-application expenses <\$50,000 incurred after NOFO publication and before to grant award, and other costs necessary to programmatic activities, excluding ineligible costs. This list is not exhaustive.

3.3 What is the program's period of performance?

As described in Section II.B of the NOFO, the program's period of performance ends five years after funds are made available with a potential 1-year extension if the applicant certifies that:

- The eligible entity has a plan for use of the grant funds;
- The project to build out middle mile infrastructure is underway; or
- Extenuating circumstances require an extension of time to allow completion of the project to build out middle mile infrastructure.

Requests for extensions will be granted at the sole discretion of the Assistant Secretary.

3.4 How quickly does the project need to be completed, and what are the buildout milestones during implementation?

As described in Section III.D of the NOFO, the eligible entity must complete 40% of project miles by the end of the 2nd year after the award date, 60% of project miles by the end of the 3rd year after the award date, 80% of project miles by the end of the fourth year after the award date, and 100% of project miles by the end of the fifth year after the award date. If an extension for the period of performance is granted, the Assistant Secretary will modify any milestones as necessary.

3.5 What are the requirements for materials to be produced in the US?

As described in Section VI.D.6 of the NOFO, all funds made available through the Middle Mile Grants Program for broadband infrastructure must comply with the Build America, Buy America Act. The Build America, Buy America Act requires that all of the iron, steel, manufactured products, and construction materials used in the project are produced in the United States unless a waiver is granted.

3.6 What are the reporting requirements related to the use of funds?

As described in Section VI.E of the NOFO, an eligible entity that receives an award shall submit a biannual report that:

- Describes how the eligible entity expended the funds and includes all required financial reporting information;
- Certifies that the eligible entity complied with the requirements of the Infrastructure Act and the Middle Mile Grants Program;
- Describes whether the Project prioritizes local hires;
- Describes whether the Project has a Community Benefit Agreements and includes a description of such agreement if present;
- Identifies each subrecipient that received a subgrant or subcontract from the eligible entity and a description of the specific project for which grant funds were provided;
- Provides technical progress reporting information; and
- For projects over \$5 million in expected total cost, there are additional reporting requirements.

The above biannual report requirements are in addition to (1) reporting requirements found in 2 CFR part 200 and (2) requirements that an applicant that receives a middle mile grant award shall share the location of all middle mile broadband infrastructure constructed, improved, or acquired using such grant with the Assistant Secretary, the Commission, any Tribal government with jurisdiction over the area that will be served by the infrastructure, and the State broadband office for the State in which the area that will be served by the middle mile infrastructure is located, in accordance with and subject to the provisions of Section 60401(e)(3)(B)(ii) of the Infrastructure Act.

4 Review and Scoring Process

4.1 What are the steps in the Middle Mile Grants Program review process?

As described in Section V.A of the NOFO, the key steps in the Middle Mile Grants Program review process include:

- Administrative and Eligibility Review;
- Merit Review; and
- Programmatic Review.

4.2 What is the Administrative and Eligibility Review, and what eligibility criteria are assessed during this step?

As described in Section V.A.1 of the NOFO, during the Administrative and Eligibility Review, NTIA will ensure applicants are eligible by assessing (1) application completeness and (2) the Eligible Entity meets eligibility criteria.

The five eligibility criteria include:

- Demonstrate that it is capable of carrying out a proposed project in a competent manner, including by demonstrating that the eligible entity has the financial, technical and operational capability to carry out the proposed project and operate the resulting middle mile broadband network (detail below);
- Certify that the project will be capable of supporting retail broadband service;
- Commit to non-Federal cost share of no less than 30% of the total project cost; only Tribal governments and Native entities may request a partial or complete waiver;
- Make a binding commitment to prioritize at least one of the following: (1) Connect Middle Mile infrastructure to last mile networks in unserved areas, (2) connect non-contiguous trust lands; or (3) offer wholesale broadband service at reasonable rates on a carrier-neutral basis; and
- Offer interconnection in perpetuity, where technically feasible without exceeding current or reasonably anticipated capacity limitations, on reasonable rates and terms.

In order to demonstrate it can carry out the proposed project in a competent manner and has the capabilities to carry out the proposed project, each eligible entity must demonstrate they meet the following six program application qualifications:

- Financial capability: Certification attesting to financial qualification, a letter of credit, and financial statements for past 3 years;
- Managerial capability: Resumes for key personnel, org chart(s), and a narrative describing managerial readiness;
- Technical capability: Certification and other documentation attesting to and demonstrating technical qualification, a network design diagram, project costs, infrastructure build-out timeline and milestones for implementation, and a capital investment schedule;
- Compliance with laws: Certifications and other documentation attesting to and demonstrating compliance with all applicable federal, State, and local laws;
- Operational capability: Certification and other documentation attesting to and demonstrating operational qualification and additional certifications if applicant has operated select types of services in the past; and
- Ownership: Ownership information, including name address and citizenship of any party with >10% stock in applicant.

4.3 What is the Merit Review, and what criteria is assessed during Merit Review?

As described in Section V.A.2 of the NOFO, during the Merit Review, objective reviewers will evaluate applications across two categories of criteria and calculate the resulting score:

Project purpose and benefits (60 points)

- Deploy to un- or underserved areas or improve affordability in existing markets (20 points)
- Offer non-discriminatory interconnection in perpetuity, where feasible (10 points)
- Offer open access to the funded infrastructure in perpetuity (10 points)
- Provide other benefits (e.g., redundancy, direct interconnect facilities) (10 points)
- Meet community's needs and complete project in two-year period (10 points)

Project sustainability (40 points)

- Organizational capability to complete the specific project proposed (5 points)
- Reasonableness of applicant's proposed budget (10 points)
- Project's fiscal sustainability beyond the award period (10 points)
- Contribute a non-federal cost share >30% based on a sliding scale with 5 points for 30-40%, 10 points for 41-50%, and 15 points for >50% (15 points)

These objective merit reviewers are federal employees or non-federal persons who have demonstrated expertise in the programmatic and technical aspects of the Middle Mile Grant Program.

4.4 What is the prioritization process for applications to proceed from Merit Review to Programmatic Review?

As described in Section V.A.3.a of the NOFO, applications will be prioritized for Programmatic Review as follows:

- Applications with score ≥ 80 during Merit Review and that meet at least two of the five statutory criteria, per Section 60401(d)(2);
- Other applications with score ≥ 80 during Merit Review; and then
- Applications with score < 80 during Merit Review but meet at least two of the five statutory criteria.

The five statutory criteria that impact prioritization of applications after merit review include:

- Fiscal sustainability;
- Non-discriminatory interconnect;
- Identification of last mile providers that have (i) expressed written interest in interconnection; and (ii) sustainable business plans or adequate funding for interconnection;
- Supplemental investments or in-kind support; and
- Benefits to national security interests of the US and the Department of Defense.

4.5 What is the Programmatic Review, and what criteria are assessed during Programmatic Review?

As described in Section V.A.3.b of the NOFO, the Programmatic Review includes NTIA asking applicants to submit additional information to confirm eligibility or Merit Review score, if applicable. Then, NTIA calculates weighted scores (i.e., multiply Merit Review by 1.0x to 1.8x) to reflect project's ability to:

- Reduce end-user prices;
- Reduce latency in remote or insular areas;
- Benefit priority areas groups;
- Benefit unserved areas or Tribal Lands;
- Connect unserved anchor institutions;
- Comply with select requirements;
- Demonstrate climate resilience; and
- Proposed community benefit agreements.

5 Application Components and Process

5.1 What are the components of the grant application, and how should eligible entities submit their applications and when are applications due?

As described in Section IV.B of the NOFO, NTIA is requesting from applicants key information in the following areas in submitted applications:

- An Executive Summary of the project;
- Project purpose, need, and beneficiaries;
- Proposed project technical details, including a description of planned offerings as well as network maps and diagrams;
- Project financials, e.g., project pro-forma, and organization financial capacity;
- Project implementation team and organizational capacity;
- Government and community involvement;
- A budget narrative and detailed budget justification; and
- Standard documentation such as the SF 424 and SF 424-C, and details on potential Environmental and Historic Preservation impacts.

For full details and other requirements, applicants are encouraged to consult the application packet which will be posted on the NTIA website at <https://grants.ntia.gov/>.

As described in Section IV.C of the NOFO, NTIA will only accept applications submitted electronically via its online application portal, NTIA Grants Portal, no later than 11:59 p.m. EDT on September 30, 2022. The NTIA Grants Portal (<https://grants.ntia.gov/>) will be open to accept Middle Mile applications beginning on June 21, 2022.

5.2 Who can I contact for more information?

Please send program questions to middlemile@ntia.gov. For any questions or technical support related to the NTIA Grants Portal (application portal), email ngphelpdesk@ntia.gov.

NOTICE OF FUNDING OPPORTUNITY

MIDDLE MILE GRANT PROGRAM

EXECUTIVE SUMMARY

A. Federal Agency Name

National Telecommunications and Information Administration (NTIA), U.S. Department of Commerce

B. Funding Opportunity Title

Middle Mile Grant Program

C. Announcement Type

Initial

D. Funding Opportunity Number

NTIA-MMG-2022

E. Assistance Listing (CFDA Number)

11.033

F. Key Dates

Complete applications must be received by NTIA through the Application Portal no later than 11:59 p.m. Eastern Daylight Time (EDT) on **September 30, 2022**.

NTIA expects to complete its review, selection of successful applicants, and award processing by **February 16, 2023**. NTIA expects that the start date for awards under this Notice of Funding Opportunity (NOFO) will be no earlier than **March 1, 2023**.

G. Application Submission Address

Complete application packets must be submitted electronically through the NTIA Application Portal. Complete applications or portions thereof submitted by postal mail, courier, email, facsimile, or other means will not be accepted. *See* Section IV of this NOFO for detailed information concerning application submission requirements.

H. Funding Opportunity Description

The Middle Mile Broadband Infrastructure Grant (MMG) Program provides funding for the construction, improvement, or acquisition of middle mile infrastructure. The purpose of the grant program is to expand and extend middle mile infrastructure to reduce the cost of connecting areas that are unserved or underserved to the internet backbone. *See* Section I of this NOFO for the full Program Description.

I. Funding Instrument

Grant.

J. Eligibility

To apply for the MMG Program, an entity must be a State, political subdivision of a State, Tribal government, technology company, electric utility, utility cooperative, public utility district, telecommunications company, telecommunications cooperative, nonprofit foundation, nonprofit corporation, nonprofit institution, nonprofit association, regional planning council, Native entity, economic development authority, or any partnership of two (2) or more of these entities.

K. Anticipated Amounts

NTIA will make up to \$980,000,000 available for federal assistance under the MMG Program (\$1,000,000,000 minus two percent set aside to cover NTIA’s administrative costs). NTIA expects to make awards under this program within the following funding range: \$5,000,000 to \$100,000,000. The period of performance for grants issued pursuant to this program ends five years from the date on which the grant funds are made available to the eligible entity.

L. Cost Sharing/Matching

The amount of a middle mile grant awarded to an eligible entity through this program may not exceed 70 percent of the total project cost.¹

FULL ANNOUNCEMENT TEXT

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¹ Infrastructure Investment and Jobs Act of 2021, Division F, Title IV, § 60401(f), Public Law 117-58, 135 Stat. 429 (November 15, 2021).

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I. Program Description

The National Telecommunications and Information Administration (NTIA) issues this Notice of Funding Opportunity (NOFO) to describe the requirements under which it will award grants for the Middle Mile Grant (MMG) Program, authorized by the Infrastructure Investment and Jobs Act of 2021, Division F, Title IV, Section 60401, Public Law 117-58, 135 Stat. 429 (November 15, 2021) (Infrastructure Act or Act), also known as the Bipartisan Infrastructure Law. The MMG Program provides funding for the construction, improvement, or acquisition of middle mile infrastructure.

A. Overview of the Middle Mile Grant Program

In recent decades, access to the internet has played a critical and growing role in the ways in which Americans work, learn, receive health care, and participate in democracy. The COVID-19 pandemic crystalized what many have known for a very long time: Broadband internet access is not a luxury, but a necessity, for all Americans, regardless of their age, race, or income, irrespective of where they live, what languages they speak, what resources they have at their disposal, and what specific challenges they may face in their daily lives.

Recognizing broadband’s fundamental role in today’s society and its centrality to our nation’s continued health and prosperity, President Biden has pledged that every American must have access to a reliable, affordable, high-speed broadband connection. Full participation in our twenty-first century economy requires no less. Yet affordable, reliable, high-speed internet access has remained elusive to many for too long, because they live in a location where no service is available, the speed or quality of the service available is unreliable, or the offering available is unaffordable. This digital divide is particularly acute for communities of color and lower-income areas and spans both urban and rural areas of the country.

Passed on a bipartisan basis, the Infrastructure Act established the Middle Mile Grant Program to complement other programs focused on internet connectivity and digital equity. Middle mile infrastructure does not reach the end user’s location, but typically aggregates large quantities of traffic for carriage between networks. The variety of middle mile arrangements is broad. Middle mile infrastructure might carry traffic via undersea cable to remote locations such as Hawaii or American territories and possessions elsewhere in the Pacific, may “backhaul” wireless traffic via a fiber-optic link from an antenna mounted on a tower to the provider’s wired network, may bring the internet to previously unserved Tribal or Native lands, or may simply connect neighboring towns. Middle mile service, moreover, might be offered by a wide range of entities, from traditional retail Internet Service Providers, large technology companies that do not offer retail broadband at all, or electric utilities that increasingly recognize their capability to transform the communications market. Regardless of who deploys and operates them, middle mile connections are crucial to connectivity and competition.

Recognizing the middle mile’s central importance, Congress appropriated \$1 billion for the MMG Program and identified two key objectives: to “encourage the expansion and extension of middle mile infrastructure to reduce the cost of connecting unserved and underserved areas to the backbone of the internet” and to “promote broadband connection resiliency through the creation of alternative network connection paths that can be designed to prevent single points of failure on a broadband network.”²

NTIA looks forward to receiving and reviewing a broad range of applications proposing creative ways to fill the gaps in our nation’s middle mile infrastructure and advance our national goals of increasing connectivity, affordability, and equity.

B. Definitions

(1) Anchor Institution.—The term “anchor institution” means a school, library, medical or healthcare provider, community college or other institution of higher education, or other community support organization or entity.

(2) Assistant Secretary.—The term “Assistant Secretary” means the Assistant Secretary of Commerce for Communications and Information or the individual who holds any successor position.

(3) Commission.—The term “Commission” means the Federal Communications Commission (FCC).

(4) Eligible Entity.—The term “eligible entity” means— (A) a State, political subdivision of a State, Tribal government, technology company, electric utility, utility cooperative, public utility district, telecommunications company, telecommunications cooperative, nonprofit foundation, nonprofit corporation, nonprofit institution, nonprofit association, regional planning council, Native entity, or economic development authority; or (B) a partnership of two (2) or more entities described in (A).

(5) FCC Fixed Broadband Map.—The term “FCC fixed broadband map” means the map created by the Commission under Section 802(c)(1)(B) of the Communications Act of 1934 (47 U.S.C. § 642(c)(1)(B)).

(6) Indian Tribe.—The term “Indian Tribe” means any Indian tribe, band, nation, or other organized group or community, including any Alaska Native village or regional or village corporation as defined in or established pursuant to the Alaska Native Claims Settlement Act (85 Stat. 688) [43 U.S.C. § 1601 *et seq.*], which is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians.

(7) Interconnect.—The term “interconnect” means the physical linking of two networks for the mutual exchange of traffic on non-discriminatory terms and conditions.

² Infrastructure Act § 60401(b)(1).

(8) Internet Exchange Facility.—The term “internet exchange facility” means physical infrastructure through which internet service providers and content delivery networks exchange internet traffic between their networks.

(9) Middle Mile Infrastructure.—The term “middle mile infrastructure”— (A) means any broadband infrastructure that does not connect directly to an end-user location, including an anchor institution; and (B) includes— (i) leased dark fiber, interoffice transport, backhaul, carrier-neutral internet exchange facilities, carrier-neutral submarine cable landing stations, undersea cables, transport connectivity to data centers, special access transport, and other similar services; and (ii) wired or private wireless broadband infrastructure, including microwave capacity, radio tower access, and other services or infrastructure for a private wireless broadband network, such as towers, fiber, and microwave links.

(10) Middle Mile Grant.—The term “middle mile grant” means a grant awarded under the MMG Program.

(11) Native Entity.—The term “Native entity” means— (A) an Indian Tribe; (B) an Alaska Native Corporation; (C) a Native Hawaiian organization (as defined in Section 6207 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. § 7517)); (D) the Department of Hawaiian Home Lands; and (E) the Office of Hawaiian Affairs.

(12) State.—The term “State” means any State of the United States, the District of Columbia and the U.S. Territories and possessions.

(13) Submarine Cable Landing Station.—The term “submarine cable landing station” means a cable landing station, as that term is used in Section 1.767(a)(5) of Title 47, Code of Federal Regulations (or any successor regulation), that can be utilized to land a submarine cable by an entity that has obtained a license under the first Section of the Act entitled “An Act relating to the landing and operation of submarine cables in the United States”, approved May 27, 1921 (47 U.S.C. § 34) (commonly known as the “Cable Landing Licensing Act”).

(14) Tribal Land.—The term “Tribal Land” means (A) any land located within the boundaries of— (i) an Indian reservation, pueblo, or rancharia; or (ii) a former reservation within Oklahoma; (B) any land not located within the boundaries of an Indian reservation, pueblo, or rancharia, the title to which is held— (i) in trust by the United States for the benefit of an Indian Tribe or an individual Indian; (ii) by an Indian Tribe or an individual Indian, subject to restriction against alienation under laws of the United States; or (iii) by a dependent Indian community; (C) any land located within a region established pursuant to Section 7(a) of the Alaska Native Claims Settlement Act (43 U.S.C. § 8 1606(a)); (D) Hawaiian Home Lands, as defined in Section 801 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. § 4221); or (E) those areas or communities designated by the Assistant Secretary of Indian Affairs of the Department of the Interior that are near, adjacent, or contiguous to reservations where financial assistance and social service programs are provided to Indians because of their status as Indians.

(15) Tribal Government.—The term “Tribal government” means the recognized governing body of any Indian or Alaska Native tribe, band, nation, pueblo, village, community, component band, or component reservation, individually identified (including parenthetically) in the list published by the Secretary of the Interior most recently as of the date of enactment of the Act pursuant to Section 104 of the Federally Recognized Indian Tribe List Act of 1994 (25 U.S.C. § 5131).³

(16) Trust Land.—The term “trust land” means any land that (A) is held in trust by the United States for Native Americans; (B) is subject to restrictions on alienation imposed by the United States on Indian lands (including native Hawaiian homelands); (C) is owned by a Regional Corporation or Village Corporation, as such terms are defined in Section 3(g) and 3(j) of the Alaska Native Claims Settlement Act, respectively (43 U.S.C. § 1602(g), (j)); or (D) is on any island in the Pacific Ocean if such land is, by cultural tradition, communally-owned land, as determined by the Secretary of the Interior.

(17) Underserved.—The term “underserved,” with respect to an area, means an area— (A) that is designated as a Tribally underserved area through the process set forth in Section III.G.2 of this NOFO; or (B) that— (i) is of a standard size not larger than a census block, as established by the Commission; (ii) is not an unserved area; and (iii) as determined in accordance with the FCC fixed broadband map, does not have access to broadband service with— (I) except as provided in (II) — (aa) a download speed of not less than 100 megabits per second; and (bb) an upload speed of not less than 20 megabits per second; or (II) minimum download and upload speeds established as benchmarks by the Commission for purposes of the Act after the date of enactment of the Act, if those minimum speeds are higher than the minimum speeds required under (I).

(18) Unserved.—The term “unserved,” with respect to an area, means an area— (A) that is designated as a Tribally underserved area through the process set forth in Section III.G.2 of this NOFO; or (B) that— (i) is of a standard size not larger than a census block, as established by the Commission; and (ii) as determined in accordance with the FCC fixed broadband map, does not have access to broadband service with— (I) except as provided in (II)— (aa) a download speed of not less than 25 megabits per second; and (bb) an upload speed of not less than 3 megabits per second; or (II) minimum download and upload speeds established as benchmarks by the Commission for purposes of this Act after the date of enactment of this Act, if those minimum speeds are higher than the minimum speeds required under (I).

II. Federal Award Information

A. Funding Availability

NTIA will make up to \$980,000,000 available for federal assistance under the MMG Program.

³ See Indian Entities Recognized by and Eligible to Receive Services from the United States Bureau of Indian Affairs, at 86 Fed. Reg. 7554 (Jan. 29, 2021); see also Indian Entities Recognized and Eligible to Receive Services from the United States Bureau of Indian Affairs; Correction, 86 Fed. Reg. 18552 (Apr. 9, 2021) (updated by the Secretary of the Interior).

B. Period of Performance

To be eligible to obtain a middle mile grant, an eligible entity shall agree to complete the buildout of the middle mile infrastructure described in the application by not later than five (5) years after the date on which amounts from the grant are made available to the eligible entity.

1. Extensions

An eligible entity may submit a request for an extension, which must include the justification for such an extension and all relevant circumstances. At the request of an eligible entity, the Assistant Secretary may extend the buildout deadline by not more than one (1) year if the eligible entity certifies that:

- (i) the eligible entity has a plan for use of the grant funds;
- (ii) the project to build out middle mile infrastructure is underway; or
- (iii) extenuating circumstances require an extension of time to allow completion of the project to build out middle mile infrastructure.

Requests for extensions will be granted at the sole discretion of the Assistant Secretary. If an extension is granted, the Assistant Secretary shall modify any milestones as necessary under the extension.

2. Reversion of Funds

Unless the Assistant Secretary has granted an eligible entity an extension of time to complete its project, NTIA will make any grant funds not expended by the eligible entity by the end of the performance period set forth in the Infrastructure Act available to other eligible entities for the purposes provided in the MMG Program.

C. Award Amount

NTIA expects to make awards under this program within the following funding range: \$5,000,000 to \$100,000,000. This range is not a required minimum or maximum, but eligible entities requesting amounts for projects outside of this range must provide a reasonable explanation for the variance.

D. Treatment of Unallocated Funds

In the event that any funds remain available after grants have been awarded to eligible entities that submitted approved applications during the initial round of funding for the MMG Program, the Assistant Secretary shall either direct that additional applications submitted in response to this NOFO be subject to further review, issue a new Notice of Funding Opportunity to address disbursement of remaining funds, or both.

E. Type of Funding Instrument

The funding instrument for awards made pursuant to the NOFO will be a grant.

III. Eligibility Information and Program Details

A. Eligible Applicants

An applicant must be an eligible entity as defined in Section I.B of this NOFO.

B. MMG Program Applicant Qualifications

Prior to entering into any award agreement, the Assistant Secretary shall ensure, consistent with the requirements below, that any prospective middle mile grant recipient:

1. Is capable of carrying out the proposed project in a competent manner, including a plan to attract, train, or retain an appropriately skilled and credentialed workforce; and
2. Has the financial, managerial, technical, and operational capability to carry out the proposed project and operate the resulting middle mile broadband network.

To allow the Assistant Secretary to ensure the eligible entity meets the requirements set forth above, each eligible entity must take the steps set forth below in connection with any application for a middle mile grant. Additional threshold, project-specific, eligibility criteria are detailed in Section V.A.1.

1. Financial Capability

a. Certifications

Each applicant must supply a certification from an officer-level employee (or individual of comparable rank) attesting that it is financially qualified to meet the obligations associated with a project, that they will have available funds for all project costs that exceed the amount of the grant, and that they will comply with all MMG Program requirements, including service milestones. To the extent the Grants Officer disburses funding only upon completion of the associated tasks, each applicant must also 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 Grants Officer authorizes additional disbursements.

b. Letter of Credit

During the application process, each applicant must submit a letter from a bank meeting eligibility requirements consistent with those set forth in 47 C.F.R. § 54.804(c)(2) committing to issue an irrevocable standby letter of credit, in the required form, to the applicant. The letter shall at a minimum provide the dollar amount of credit offered and the issuing bank's agreement to follow the terms and conditions of NTIA's model letter of credit. NTIA shall establish a model letter of credit substantially similar to the model letter of credit established by the Federal Communications Commission in connection with the Rural Digital Opportunity Fund (RDOF).⁴

⁴ *Rural Digital Opportunity Fund Order*, 35 FCC Rcd at 773-77, Appx. C.

NTIA will ensure, prior to issuing a middle mile grant award, that each eligible entity obtains an acceptable, irrevocable standby letter of credit in a value of no less than 25 percent of the award amount.

Each eligible entity shall provide with its letter of credit an opinion letter from its legal counsel clearly 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 winning bidder's bankruptcy estate under Section 541 of the Bankruptcy Code.

An eligible entity may obtain a new letter of credit or renew its existing letter of credit to reduce its value in accordance with the following limitations:

- Upon demonstrating to the satisfaction of the Assistant Secretary that it has completed the buildout of 40 percent of project miles, an eligible entity may obtain a new letter of credit or renew its existing letter of credit so that it is valued at no less than 20 percent of the award amount.
- Upon demonstrating to the satisfaction of the Assistant Secretary that it has completed the buildout of 60 percent of project miles, an eligible entity may obtain a new letter of credit or renew its existing letter of credit so that it is valued at no less than 15 percent of the award amount.
- Upon demonstrating to the satisfaction of the Assistant Secretary that it has completed the buildout of 80 percent of project miles, an eligible entity may obtain a new letter of credit or renew its existing letter of credit so that it is valued at no less than 10 percent of the award amount.

c. Audited Financial Statements

Each applicant shall submit financial statements from the three prior fiscal years that are audited by an independent certified public accountant. If the applicant is not audited in the ordinary course of business, in lieu of submitting audited financial statements it must submit unaudited financial statements from the three prior fiscal years and certify that it will provide financial statements from the three prior fiscal years that are audited by an independent certified public accountant by an NTIA specified deadline. The Assistant Secretary will not approve any middle mile grant award unless the Assistant Secretary determines that the documents submitted demonstrate the applicant's financial capability with respect to the proposed project.

2. Managerial Capability

Applicants shall submit to the Assistant Secretary one-page resumes for (a) all key management personnel and (b) all key personnel of subcontractors or other entities that will play substantial roles in building, managing, or operating the middle mile network built using MMG Program funding. In addition, each applicant shall submit any necessary organizational chart(s) detailing all of its parent companies, subsidiaries, and affiliates. Each applicant must also provide a narrative describing the applicant's readiness to manage a middle mile broadband network. This narrative should describe the experience and qualifications of key management set to undertake this project, the applicant's experience undertaking projects of similar size and scope, recent and upcoming organizational changes including mergers and acquisitions, and relevant organizational policies. The Assistant Secretary will not approve any middle mile grant unless the Assistant Secretary determines that the documents submitted demonstrate the applicant's managerial capability with respect to the proposed project.

3. Technical Capability

Each applicant must certify that it is technically qualified to complete and operate the proposed project and that it is capable of carrying out the funded activities in a competent manner, including that it will use an appropriately skilled and credentialed workforce (*see* Section III.I of this NOFO).

Each applicant must submit a network design diagram, project costs, build-out timeline and milestones for project implementation, and a capital investment schedule evidencing that the applicant will complete build-out and the initiation of service within five years from the date on which the grant funds are made available to the eligible entity and will meet interim buildout requirements set forth herein and in any other binding document. The Assistant Secretary will not approve any middle mile grant unless the Assistant Secretary determines that the materials submitted demonstrate the applicant's technical capability with respect to the proposed project.

4. Compliance With Laws

Each applicant must demonstrate that it is capable of carrying out funded activities in a competent manner in compliance with all applicable federal, State, and local laws. To ensure that an applicant complies with occupational safety and health requirements, applicants must permit workers to create worker-led health and safety committees with which management will meet upon reasonable request.

5. Operational Capability

Each applicant must supply a certification from an officer-level employee (or individual of comparable rank) attesting to the applicant's operational capability to complete and operate the proposed project. If applicable, the applicant must submit a certification from an officer-level employee (or individual of comparable rank) that it has operated a middle mile broadband network for at least two years or that it is a wholly owned subsidiary of such an entity and must specify the number of years the applicant or its parent company has been operating.

If the applicant has provided a voice and/or broadband service, it must 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. Alternatively, it must explain any pending or completed enforcement action, civil litigation, or other matter in which it failed to comply or was alleged to have failed to comply with Commission rules or regulations.

If the applicant has operated only an electric transmission or distribution service, it must 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.

The Assistant Secretary will not approve any middle mile grant award unless the Assistant Secretary determines that the documents submitted demonstrate the applicant's operational capability with respect to the proposed project.

6. Ownership

Each applicant shall provide ownership information consistent with the requirements set forth in 47 C.F.R. § 1.2112(a)(1)-(7).

C. Cost Sharing or Matching

The amount of a middle mile grant awarded to an eligible entity may not exceed 70 percent of the total project cost.⁵ Except for grants made to Tribal Governments and Native entities, the Infrastructure Act does not contemplate waiver of this requirement, and the Assistant Secretary will not entertain requests for such waivers.

Matching funds may be in the form of either cash or in-kind contributions consistent with the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards at 2 C.F.R. Part 200.⁶ In-kind contributions, which include third-party in-kind contributions, are non-cash donations of property, goods or services, which benefit a federally assisted project, and which may count toward satisfying the non-federal matching requirement of a project's total budgeted costs when such contributions meet certain criteria.⁷ In-kind contributions must be allowable and allocable project expenses. The rules governing allowable in-kind contributions are detailed and encompass a wide range of properties and services. NTIA encourages applicants to thoroughly consider potential sources of in-kind contributions, which, depending on the particular property or service and the applicable federal cost principles, could include employee or volunteer services; equipment; supplies; indirect costs; computer hardware and software; and use of facilities. In the broadband context, in-kind contributions could include, consistent with federal cost principles, access to rights of way, pole attachments, conduits,

⁵ Infrastructure Act § 60401(f).

⁶ See 2 C.F.R. § 200.306.

⁷ See *id.*

easements, or access to other types of infrastructure. It is important to note that federal funds may not be used as non-federal match, except as expressly provided by federal statute.⁸

D. Buildout Benchmarks

Buildout benchmarks will be established as a condition of any middle mile grant. An eligible entity that receives a middle mile grant shall demonstrate to the satisfaction of the Assistant Secretary that it has completed the buildout of 40 percent of project miles by the end of the second year after the award date, 60 percent of project miles by the end of the third year, 80 percent of project miles by the end of the fourth year, and 100 percent of project miles by the end of the fifth year. For the sake of clarity, the project must be completed, lit, and operating no later than five years from the date on which the grant funds are made available to the eligible entity.

The Assistant Secretary retains the authority to modify buildout benchmarks after consultation with an applicant, imposing more aggressive or less aggressive buildout benchmarks if the nature of and circumstances surrounding the project make it reasonable to do so (*e.g.*, the project covers a short distance or can be deployed in large part using existing conduit, or the project will leverage infrastructure slated to be constructed using other federal funds, but the schedule for the deployment of that infrastructure is incompatible with the benchmarks set out above).

E. Prioritization of Applications Meeting Statutory Criteria

As directed by Section 60401(d)(2) of the Infrastructure Act, the MMG Program will prioritize applications that meet at least two of the following five criteria:

1. The eligible entity adopts fiscally sustainable middle mile strategies.⁹
2. The eligible entity commits to offering non-discriminatory interconnection to terrestrial and wireless last mile broadband providers and any other party making a bona fide request.
3. The eligible entity identifies specific terrestrial and wireless last mile broadband providers that have (i) expressed written interest in interconnecting with middle mile infrastructure planned to be deployed by the eligible entity; and (ii) demonstrated sustainable business plans or adequate funding sources with respect to such interconnection described in (i).

⁸ *See id.*

⁹ In particular, applicants should submit with their application financial studies, analyses, or other materials demonstrating that reasonably anticipated revenues associated with middle mile projects that are constructed, improved, or acquired using MMG Program funds will be sufficient to allow long-term provision of service in light of reasonably anticipated costs. The required documentation includes organizational historical financials, audited financials, pro-forma financial projections and analysis to substantiate the sustainability of the proposed project, and submission of a letter of credit valued at no less than 25 percent of the requested award amount.

4. The eligible entity has identified supplemental investments or in-kind support (such as waived franchise or permitting fees) that will accelerate the completion of the planned project.
5. The eligible entity has demonstrated that the middle mile infrastructure will benefit national security interests of the United States and the Department of Defense.¹⁰

F. Connections to Anchor Institutions

Each applicant seeking an award to build middle mile infrastructure using fiber-optic technology shall certify that the proposed project, upon completion, will include direct interconnection facilities that will facilitate the provision of broadband service, at speeds not less than 1 Gigabit per second for downloads and 1 Gigabit per second for uploads to anchor institutions located within 1,000 feet of the middle mile infrastructure.

An eligible entity applying for a middle mile grant may seek, and the Assistant Secretary may grant, a waiver of the requirements set out in the previous paragraph, in full or in part, to the extent the eligible entity demonstrates that the requirement is not technically or economically feasible. *See* Section VIII.E.

G. Special Rules for Tribal Governments and Native Entities

1. Waivers and Alternative Requirements

The Infrastructure Act permits the Assistant Secretary, in consultation with Tribal governments and Native entities, to waive, or specify alternative requirements in connection with, most directives governing the MMG Program if the Assistant Secretary finds that waiver or modification of the requirement is necessary for (a) the effective delivery and administration of middle mile grants to Tribal governments or (b) the construction, improvement, or acquisition of middle mile infrastructure on trust land.

2. Tribal Unserved and Underserved Areas

A Tribal Government may certify whether an area within its own Tribal Land is unserved or underserved based on criteria of its choosing. Any such Tribal Government must certify that the areas where middle mile service is proposed (including any such areas where a provider offers, or has proposed to offer, last-mile service) are unserved or underserved and provide a statement on Tribal Letterhead explaining how the determination that the area is unserved or underserved was made and additional supporting information if available. The Department of Hawaiian Home Lands may also certify whether Tribal Lands in Hawaii are unserved. Neither a Tribal Government nor the Department of Hawaiian Home Lands may certify Tribal Lands as unserved or underserved if there exists a legally binding agreement between (a) a Tribal Government, the

¹⁰ Relevant considerations here include, but are not limited to, whether the funded middle mile infrastructure will increase the redundancy and resiliency of telecommunications networks that support broadband services, other commercial telecommunications services, protection of other critical national infrastructure (*e.g.*, the national power grid and power transmission facilities), border security, or other physical infrastructure sensor and monitoring.

Department of Hawaiian Home Lands, or an authorized agent thereof and (b) a broadband service provider under which the broadband service provider is committed to deploying and providing broadband internet services at speeds of no less than 100 Mbps downstream and 20 Mbps upstream. A Tribal Government and the Department of Hawaiian Home Lands must disclose whether it has terminated an existing agreement of this type in order to support a certification that an area is unserved or underserved under this provision.

H. Fair Labor Practices

Applicants must have a demonstrated record of and plans to be in compliance with federal labor and employment laws where applicable. This will help ensure that projects are carried out in accordance with the law, assist NTIA in ensuring that a prospective awardee is capable of carrying out activities funded by an award in a competent manner in compliance with all applicable federal, State, and local laws, and promote the effective and efficient completion of high-quality middle mile broadband infrastructure projects by ensuring a reliable supply of skilled workers and minimizing disruptive and costly delays.

In order for NTIA to evaluate an applicant's demonstrated record of and plans to be in compliance with federal labor and employment laws, each applicant must provide the following:

1. Information on their record of compliance with federal labor and employment laws, as well as the records of any other entities participating in the project, including contractors and subcontractors. This information must include, at a minimum, information on these entities' compliance with federal labor and employment laws on broadband deployment projects in the last three years. For example, the applicant should provide data on its historical use of contracting and subcontracting arrangements, including staffing plans, and at least one example of each contractor and subcontractor's past performance in the context of a similar project.
2. A certification from an Officer/Director-level employee (or equivalent) of the applicant evidencing consistent past compliance with federal labor and employment laws by the applicant, as well as contractors and subcontractors.
3. Written disclosure of any instances in which the applicant, 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.
4. A written plan for ensuring compliance with federal labor and employment laws. These plans must address, at a minimum, how the applicant 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 applicant 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. An effective plan for compliance with federal labor and employment laws can include an applicant's binding commitment to strong labor standards and protections for the project workforce (including contractors and subcontractors), which include:

- Using a directly employed workforce, as opposed to a subcontracted workforce;
- 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;
- 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);
- Use of local hire provisions;
- Commitments to union neutrality;
- Use of labor peace agreements;¹¹
- 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.

NTIA will offer technical assistance and may provide additional guidance on this issue.

I. Highly Skilled Workforce

To ensure that applicants have the technical and operational capacity to carry out the project, applicants must submit a plan for ensuring that the project workforce will be an appropriately skilled and credentialed workforce (including by the applicant and each of its contractors and subcontractors). For purposes of this Section, the “project workforce” includes those employees of the applicant, its contractors, or subcontractors directly engaged in the physical construction of the middle mile infrastructure, but does not include support staff of senior management. The plan for a highly skilled workforce should include the following information:

- The ways in which the applicant 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;
- 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;

¹¹ Ability to require labor peace agreements:

- By a governmental entity: Where a governmental entity receives NTIA grant funds, whether directly as an eligible entity or as a subgrantee, and the governmental entity uses those funds for the construction of facilities over which it will maintain a proprietary interest (*e.g.*, governmental ownership of the network), it is authorized and encouraged to require labor peace agreements, unless prohibited by state or local law.
- By a non-governmental subgrantee: Subgrantees that are non-governmental entities, and construct broadband facilities over which no governmental entity maintains a proprietary interest, are authorized and encouraged to require labor peace agreements, unless prohibited by state or local law.

- Whether the workforce is unionized;
- Whether the workforce will be directly employed or whether work will be performed by a subcontracted workforce; and
- The entities that the applicant plans to contract and subcontract with in carrying out the proposed work.

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

- 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;
- For each job title required to carry out the proposed work (including contractors and subcontractors), a description of:
 - 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
 - information on the professional certifications and/or in-house training in place to ensure that deployment is done at a high standard.

J. Advancing Equitable Workforce Development and Job Quality Objectives

A skilled workforce is critical to meeting infrastructure buildout timelines under the Infrastructure Act and connecting households across the country to reliable, affordable, high-speed broadband. A well-trained workforce will also allow for the safe deployment of sustainable networks. To meet the workforce needs of the MMG Program, applicants must make appropriate investments to develop a skilled, diverse workforce for the jobs that the applicants need to fill.

Each applicant must provide the information described below as part of its application:

1. A description of how it will support the development and use of a highly skilled workforce capable of carrying out MMG Program work in a manner that is safe and effective.
2. A description of the applicant's participation in sector-based partnerships among employers, education and training providers, unions and any other labor-management organizations, the public workforce system, unions, and worker organizations, and community-based organizations that provide relevant training (including through Registered Apprenticeships and pre-apprenticeships that are integrated with Registered Apprenticeships, or other quality work-based learning programs) and provide 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.¹²

¹² For additional information on sector-based partnerships, eligible entities should review the Economic Development Administration's Good Jobs Challenge NOFO, EDA-HDQ-ARPGJ-2021-2006964, available at <https://www.grants.gov/web/grants/view-opportunity.html?oppID=334720>.

3. A description of how the applicant will plan to create equitable on-ramps into broadband-related jobs (*e.g.*, how entities plan to engage or partner with stakeholders like State, Territorial, and local workforce boards, training partners, labor and community organizations); 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.
4. A description of how the applicant will ensure that the job opportunities created by the MMG Program and other broadband funding programs are available to a diverse pool of workers, including by engaging in targeted outreach to populations that have traditionally been underrepresented in broadband and information technology jobs, including but not limited to women and people of color. Applicants should be prepared to report on the demographics of the workforce (including contractors and subcontractors) that is engaged on a project utilizing MMG Program grant funding (this will be aggregate workforce data only, not personally identifiable information), and should expect that this data will be made public.
5. A description of other equitable workforce development and job quality activities the applicant participates in, including, for example:
 - a. Providing Registered Apprenticeships and pre-apprenticeships tied to a Registered Apprenticeship, 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.
 - b. Offering “quality jobs.”¹³
 - c. Prioritizing the hiring of local workers, implementing robust and specific plans to recruit historically underrepresented populations facing labor market barriers, and ensuring that they have reasonable access to the job opportunities created by the applicant. Such populations may 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).

¹³ A “quality job” is defined as a job that (a) 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 (b) helps the employee develop the skills and experiences necessary to advance along a career path. *See* Economic Development Administration, ARPA Good Jobs Challenge NOFO, EDA-HDQ-ARPGJ-2021-2006964, at n. 1, *available at* <https://www.grants.gov/web/grants/view-opportunity.html?oppId=334720>.

K. Climate Resilience

Applicants must demonstrate that they have sufficiently accounted for current and future weather- and climate-related risks to new MMG Program infrastructure projects. At present, weather- and climate-related risks to broadband networks include wildfires, extreme heat and cold, inland and coastal flooding, and the extreme winds produced by weather events such as tornadoes, hurricanes, and other weather events. Because retrofitted and new infrastructure for broadband might be expected to have a lifetime of 20 years or more, applicants must account not only for current risks but also for how the frequency, severity, and nature of these extreme events may plausibly evolve as our climate continues to change over the coming decades. Future projected climate change is expected to continue to result in higher seasonal temperatures and an increased likelihood of extreme heat events, higher risk of wildfires, more intense rainfall events, sea level rise and coastal inundation, permafrost thaw in Alaska, and the potential for stronger hurricanes when they do form, and other climate change related impacts.¹⁴

Communities that lack broadband are also often the most vulnerable to extreme weather and climate events. This combination often results in a lack of crucial communications infrastructure to respond during these emergencies. Building climate-resilient broadband infrastructure for such communities provides emergency response preparedness and thus greater climate resilience for the community itself.

In light of the above, applicants should make use of available tools and resources from the National Oceanic and Atmospheric Administration (NOAA) and other federal agencies, as well as applicant-level resources and centers of expertise, in drawing up their MMG Program applications. Each applicant must explain in its application how it has utilized these tools and resources to account for, mitigate, and where possible, avoid the known and identifiable risks of current and future projected weather and climate conditions. Applicants also should explain how they addressed these risks through measures such as (but not necessarily limited to) choice of a technology platform suitable to the climate risks of the region, reliance on alternative siting of facilities (*e.g.*, underground construction where appropriate), retrofitting or hardening of existing assets that are critical to the project, additional onsite power resources, use of established plans and processes to deal with extreme weather related risks, use of established plans and processes to deal with extreme weather related risks, the speed of restoration of service in the case of an outage, and use of network and facility redundancies to safeguard against threats to middle mile infrastructure. In particular, each applicant should clearly demonstrate, at a minimum, that it is conducting each of the following:

1. Identify the geographic areas that should be subject to an initial hazard screening for current and future weather- and climate-related risks and the time scales for performing such screenings;

¹⁴ For example, in accordance with Section 2(a)(1) of Executive Order 11988, as amended by Executive Order 13690, before taking an action, the applicant, in coordination with NTIA, must determine whether a proposed action will occur in a floodplain.

2. Identify which weather and climate hazards may be most important to account for and respond to in these areas and over the relevant time horizons, utilizing the tools and resources recommended below or other resources available to the applicant;
3. Characterize any weather and climate risks to new middle mile infrastructure deployed using MMG Program funds for the 20 years following deployment;
4. Identify how the proposed plan will avoid and/or mitigate the weather and climate risks identified; and
5. Detail the applicant's plans for periodically repeating this process over the life of the project to ensure that evolving risks are understood, characterized, and addressed, and that the most up-to-date tools and information resources are utilized.

For flooding hazards, the eligible entity should take into account the Federal Flood Risk Management Standard and Implementing Guidelines established through in Executive Order 14030, *Climate-Related Financial Risk* (86 FR 27967) and Executive Order 13690, *Establishing a Federal Flood Risk Management Standard and a Process for Further Soliciting and Considering Stakeholder Input* (80 FR 6425). The Executive Orders and Guidelines can be found at <https://www.fema.gov/floodplain-management/intergovernmental/federal-flood-risk-management-standard>.

In implementing the above requirements, applicants should make use of the user-friendly resources and tools provided below. The information contained within these tools and resources should be carefully reviewed to understand key characteristics of the information and data provided (e.g., geographic scale of the information, timeframe of the information, levels of confidence in the information).

1. For broad, coarse-level screening of current and projected future weather- and climate-related risks for the project's region, review and cite the regional chapters found in the 2018 National Climate Assessment (<https://nca2018.globalchange.gov/>).
2. For more applicant-specific information on current and projected climate conditions and risks, refer to the NOAA's 2022 state climate summaries (<https://statesummaries.ncics.org/>).
3. In assessing current weather-related risks for specific regions, applicants can use NOAA's disaster and risk mapping tool (<https://www.ncdc.noaa.gov/billions/mapping>) and NOAA's storms event database (<https://www.ncdc.noaa.gov/stormevents/>).
4. The NOAA tools [Climate Explorer](#) and [Digital Coast](#) (updated with recently-published regional sea level rise scenarios) allow users to look up historic and future projected environmental variables (e.g., changes in temperature thresholds, sea level rise) for their region.
5. FEMA's National Risk Index (<https://hazards.fema.gov/nri/learn-more>) provides a composite risk index for all regions across the United States, incorporating a range of natural hazards (most of which, but not all, are weather- and climate-related). FEMA's flood risk maps (<https://msc.fema.gov/portal/home>) for current conditions and for specific locations.

6. Applicants are also encouraged to consult FEMA-approved Hazard Mitigation Plans prepared by states in which they propose to build middle mile infrastructure to help identify key risks and hazards.

To understand and access climate and weather information, applicants are encouraged to work with NOAA and its partners at the State and regional levels (National Weather Service Weather Forecast Offices (<https://www.weather.gov/srh/nwsoffices>), Regional Climate Centers (<https://www.ncei.noaa.gov/regional/regional-climate-centers>), Regional Climate Services Directors (<https://www.ncei.noaa.gov/regional/regional-climate-services-directors>), academic and other partners under NOAA's RISA program (<https://cpo.noaa.gov/Meet-the-Divisions/Climate-and-Societal-Interactions/RISA/RISA-Teams>), State climatologists (https://stateclimate.org/state_programs/), and any other relevant centers of expertise.

L. Civil Rights and Nondiscrimination Law Compliance

No person in the United States may, on the ground of actual or perceived race, color, national origin, sex, gender identity, sexual orientation, age, disability, or handicap, be excluded from participation in, be denied the benefits of, or be subject to discrimination under, any program or activity receiving federal financial assistance. Prior to distributing any MMG Program funding to a prospective awardee, NTIA will require the prospective awardee to agree, by contract or other binding commitment, to abide by the non-discrimination requirements set forth in the following legal authorities, to the extent applicable, and to acknowledge that failure to do so may result in cancellation of any award and/or recoupment of funds already disbursed:

1. Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d *et seq.*) and the Department of Commerce's implementing regulations, published at 15 C.F.R. Part 8, which prohibit discrimination on the grounds of race, color, or national origin under programs or activities receiving federal financial assistance;
2. Title IX of the Education Amendments of 1972 (20 U.S.C. § 1681 *et seq.*) which prohibits discrimination on the basis of sex under federally assisted education programs or activities;
3. The Americans with Disabilities Act of 1990 (42 U.S.C. § 12101 *et seq.*) which prohibits discrimination on the basis of disability under programs, activities, and services provided or made available by state and local governments or instrumentalities or agencies thereto, as well as public or private entities that provide public transportation;
4. Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794), and Department of Commerce implementing regulations published at 15 C.F.R. Part 8b, which prohibit discrimination on the basis of handicap under any program or activity receiving or benefiting from federal assistance;
5. The Age Discrimination Act of 1975, as amended (42 U.S.C. § 6101 *et seq.*), and Department of Commerce implementing regulations published at 15 C.F.R. Part 20, which prohibit discrimination on the basis of age in programs or activities receiving federal financial assistance;
6. Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e *et seq.*, which provides that it is an unlawful employment practice for an employer to discharge any individual or

otherwise to discriminate against an individual with respect to compensation, terms, conditions, or privileges of employment because of such individual's race, color, religion, sex, or national origin. Note in this regard that Title VII, 42 U.S.C. § 2000e-1(a), expressly exempts from the prohibition against discrimination based on religion "a religious corporation, association, educational institution, or society with respect to the employment of individuals of a particular religion to perform work connected with the carrying on by such corporation, association, educational institution, or society of its activities;" and

7. Any other applicable non-discrimination law(s). Application requirements, award terms, and conditions do not impose civil rights and nondiscrimination law compliance requirements on Indian Tribes or Native Entities beyond what would otherwise apply under federal law.

In addition, each applicant must demonstrate in its application that it will account for and satisfy the following authorities or explain why they are not applicable:

1. Parts II and III of Executive Order 11246, Equal Employment Opportunity (30 Fed. Reg. 12319), which requires that federally assisted construction contracts incorporate and fulfill the nondiscrimination provisions of §§ 202 and 203 of Executive Order 11246 and Department of Labor regulations implementing Executive Order 11246 (41 C.F.R. § 60-1.4(b)).
2. Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency (65 Fed. Reg. 50121), which requires federal agencies to examine the services that they provide, identify any need for services to those with limited English proficiency (LEP), and develop and implement a system to provide those services so LEP persons can have meaningful access to them. Note that the Department of Commerce issued policy guidance on March 24, 2003, (68 Fed. Reg. 14180) to articulate the Title VI prohibition against national origin discrimination affecting LEP persons and to help ensure that non-federal entities provide meaningful access to their LEP applicants and beneficiaries.
3. Executive Order 13798, Promoting Free Speech and Religious Liberty, and Office of Management and Budget, M-20-09 – Guidance Regarding Federal Grants and Executive Order 13798 (January 16, 2020), which provide that States or other public grantees may not condition sub-awards of federal grant money in a manner that would disadvantage grant applicants based on their religious character.

M. Other

1. Eligible and Ineligible Uses of Project Funds

See Section IV.I of this NOFO for information concerning the eligible and ineligible uses of project funding (including non-federal cost share) under the MMG Program.

2. State Coordination on Broadband Projects

Prospective non-State and non-Tribal Government applicants must, prior to submitting an application, coordinate and consult with the State Broadband Office or other coordinating body

located in the jurisdiction in which the eligible entity proposes to deploy middle mile infrastructure to ensure that the proposal is consistent with the State's broadband plan and priorities.

IV. Application and Submission Information

A. Address to Request Application Package

Application forms and instructions are available at <https://grants.ntia.gov/>. Applications will be accepted until the deadline and will be processed as received. Application packages, or portions thereof, submitted by email, paper, or facsimile will not be accepted.

With respect to electronic methods for providing information about funding opportunities or accepting applicants' submissions of information, NTIA is responsible for compliance with Section 508 of the Rehabilitation Act of 1973, as amended by the Workforce Act of 1998.

B. Content and Form of Applications

Applications for the MMG Program must be complete, must follow the format described in NTIA's Application Portal, and must otherwise comply with this NOFO. Complete applications must be received through the NTIA Application Portal no later than 11:59 p.m. Eastern Daylight Time (EDT) on **September 30, 2022**. NTIA will not accept any application materials submitted prior to the public release of this NOFO.

A complete application packet consists of the information that will be required by the Application Portal at <https://grants.ntia.gov/>. Required information will include (but not necessarily be limited to) the following:

1. Standard Form 424: Application for Federal Assistance
2. Standard Form 424C: Budget Information for Construction Programs (SF-424C)
3. CD-511 Certification Regarding Lobbying
4. Standard Form LLL, Disclosure of Lobbying Activities (if applicable)
5. Detailed Budget
6. Budget Narrative
7. Project Details and Narrative
8. Negotiated Indirect Cost Rate Agreement (if applicable)
9. Any materials on which the applicant seeks to rely in demonstrating its satisfaction of the eligibility criteria, merit review criteria, and programmatic review criteria set forth in Section V.A of this NOFO.

The Project Details and Narrative, along with the above forms, shall be filled out by the applicant in NTIA's Grant Application Portal. Proposed project application information to be collected will include the following:

1. An Executive Summary of the project, not to exceed two (2) pages (approximately 1,000 words). Please note that if an applicant’s proposal is selected for funding, NTIA may use all or a portion of the Executive Summary as part of a press release issued by NTIA, or for other public information and outreach purposes. Applicants are advised not to incorporate information that concerns business trade secrets or other confidential commercial or financial information as part of the Executive Summary. *See also* 15 C.F.R. § 4.9(c) concerning the designation of business information by the applicant;

2. Project Purpose/Need/Beneficiaries

- a. A description of how the applicant’s proposal will advance the objectives of the MMG Program—namely, to “encourage the expansion and extension of middle mile infrastructure to reduce the cost of connecting unserved and underserved areas to the backbone of the internet” and/or “promote broadband connection resiliency through the creation of alternative network connection paths that can be designed to prevent single points of failure on a broadband network;”¹⁵
- b. An overview of the proposed route or service area(s), including information regarding rurality and socio-economic indicators in the area to be served by the proposed project;
- c. A description of need in the proposed service area(s), including communities considered unserved and/or underserved in the proposed service area(s);
- d. Target last mile service objectives, including last mile service provider letters of commitment, agreements, or contracts;
- e. Letters of intent, agreements, or contracts pertaining to other expected users of the proposed middle mile facilities;
- f. Information on existing middle mile offerings in the area, if any, including competitor data if applicable; and
- g. A list of anchor institutions (and types) within 1,000 feet of the proposed route (for fiber projects only).

3. Proposed Project – Technical Approach, Service Area, Build Out Plan

- a. Network route map(s);
- b. Network diagram and system design;
- c. Technical details of the proposed project, *e.g.*, technology type;
- d. List of all proposed interconnection points and point-of-interest locations along the proposed route;
- e. A description of the proposed service offerings, including the pricing of the services to be offered over the proposed facility;
- f. A description of the applicant’s nondiscrimination, interconnection, and network management plans;

¹⁵ Infrastructure Act § 60401(b)(1).

- g. A timeline for the build-out/implementation of the project with critical path, including key milestones for implementation of the project, preparations, and risk factors;
 - h. A plan for using an appropriately skilled and credentialed project workforce (including by the applicant, contractors, and subcontractors), as described in Section III.B.3 above.
 - i. Description of the applicant's efforts to ensure climate resilience for the project and demonstration that the applicant has sufficiently accounted for current and future weather- and climate-related risks to new middle mile infrastructure projects;
 - j. A service-area environmental description that describes the physical project area and its surroundings (*e.g.*, disturbed or developed land vs. open space; adjacent natural resources, such as rivers, wetlands, or forestlands; and any protected lands or resources in or near the project area), including site photographs and aerial photographs (*e.g.*, Google Earth or Google Maps images), if the project includes construction and/or ground disturbing activities.
4. Project Financials and Organization Financial Capacity
- a. Details regarding the federal grant request and non-federal cost share;
 - b. Details on the project budget and funding, including the level of need for federal funding and details on other federal broadband deployment funding received by the applicant;
 - c. Non-federal cost share sources, including the proposed percentage of cash vs. in-kind contribution and the source of any contribution (if not the applicant itself);
 - d. Historical financials for the last three (3) years;
 - e. Historical Certified Public Accountant (CPA) audits for the last one (1) year;
 - f. The Letter of Credit referenced in Section III.B.1.b of this NOFO; and
 - g. Pro forma financial projection and analysis related to the project's sustainability, inclusive of subscriber (*e.g.*, last mile network connections, other wholesale services), across an eight-year forecast period.
5. Project Implementation Team and Organizational Capacity
- a. Information regarding the organization's capacity and readiness;
 - b. Project and organizational chart;
 - c. Management team and key project personnel resumes, including resumes of key personnel of partner organizations or third parties that will be performing a significant role in the project's completion;
 - d. Project governance documents and a description of key partnerships;
 - e. List of all funded and unfunded project collaborators, including partners, consultants, subrecipients, match providers, major contractors/suppliers, details on role/scope of work for project;

- f. A description of whether and, if so, how the project will incorporate strong labor standards, including project labor agreements and community benefit agreements that offer wages at or above the prevailing rate and include local hire provisions, and a description of the applicant's workforce plans and practices, per Section III.H of this NOFO (Fair Labor Practices);
 - g. A description of how the applicant will support equitable workforce development and job quality objectives, per Section III.I of this NOFO (Highly Skilled Workforce).
6. Government and Community Involvement
- a. Information on the applicant's coordination with applicable State, Tribal, and local governments, including their awareness of the proposed project and any potential impact to respective service areas; and
 - b. Information regarding the applicant's involvement and coordination with community organizations, unions and worker organizations, or other relevant partners in the proposed service area.

1. Budget Narrative and Detailed Budget Justification

Each applicant must submit a Budget Narrative and a Detailed Budget Justification Spreadsheet through the Application Portal at <https://grants.ntia.gov/>. All budget information must support the dollar amounts identified in the SF-424 and SF-424C and demonstrate that the project or activity meets the eligible use requirements in the Infrastructure Act and this NOFO.

The Detailed Budget Justification Spreadsheet must reflect the cost categories that appear on the SF-424C (*e.g.*, administrative and legal expenses; land; structures; rights-of-way; appraisals; construction, etc.) and include itemized calculations for each cost placed under those categories.

The Budget Narrative must explain the necessity and basis for all costs, clearly correspond to the information included in the Detailed Budget Justification Spreadsheet and reflect only allowable costs that are consistent with the project scope. Information on cost allowability is available in the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards at 2 C.F.R. Part 200, which apply to awards in this program.

With respect to the cost-sharing or matching funds included in the budget, the applicant must identify the non-federal source (*e.g.*, State funding) and distinguish the non-federal and federal portions of the budget in the Detailed Budget Justification and Budget Narrative. Information regarding cost sharing or matching funds is available in 2 C.F.R. § 200.306.

C. Application Format

NTIA will only accept applications submitted electronically via its online Application Portal. Paper, email, and facsimile submissions will not be accepted.

D. Requirements for Attachments Submitted through NTIA's Grant Application System

1. Figures, graphs, images, and pictures

Should be of a size that is easily readable or viewable and may be presented in landscape orientation.

2. Font

Easy to read font (11-point minimum). Smaller type may be used in figures and tables but must be clearly legible.

3. Line spacing

Applicants may use single spacing or double spacing.

4. Margins

One inch top, bottom, left, and right.

5. Page layout

Portrait orientation except for figures, graphs, images, and pictures. Paragraphs are to be clearly separated from each other by double spacing, paragraph formatting or equivalent.

6. Page numbering

Number pages sequentially.

7. Page size

Pages must be 8½ inches by 11 inches, excluding maps of proposed service areas or network or system diagrams.

8. Application language

English.

9. Typed document

All applications, including forms, must be typed.

E. Certifications Regarding Debarment and Suspension (applies to all recipients)

By signing and submitting an application for funding pursuant to the MMG Program, the applicant is making the following certifications (*see* Line 21 on the SF-424, Application for Federal Assistance):

1. Instructions for Primary Tier Participant Certification

- a. By signing and submitting this proposal, the prospective primary tier participant is providing the certification set out below and agrees to comply with the requirements of 2 C.F.R. Parts 180, 1200, and 1326.
- b. The inability of a person to provide the certification required below will not necessarily result in denial of participation in this covered transaction. The prospective primary tier participant shall submit an explanation of why it cannot provide the certification set out below. The certification or explanation will be considered in connection with the department or agency's determination whether to enter into this transaction. However, failure of the prospective primary tier participant to furnish a certification or an explanation shall disqualify such person from participation in this transaction.
- c. The certification in this clause is a material representation of fact upon which reliance was placed when the department or agency determined to enter into this transaction. If it is later determined that the prospective primary tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the federal government, the department or agency may terminate this transaction for cause or default or may pursue suspension or debarment.
- d. The prospective primary tier participant shall provide immediate written notice to the department or agency to which this proposal is submitted if at any time the prospective primary tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
- e. The terms *covered transaction, civil judgment, debarment, suspension, ineligible, participant, person, principal, and voluntarily excluded*, as used in this clause, are defined in 2 C.F.R. Parts 180, 1200, and 1326. You may contact the department or agency to which this proposal is being submitted for assistance in obtaining a copy of those regulations.
- f. The prospective primary tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 C.F.R. Part 9, Subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency entering into this transaction.
- g. The prospective primary tier participant further agrees by submitting this proposal that it will include the clause titled "Instructions for Lower Tier Participant Certification" including the "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transaction" provided by the department or

agency entering into this covered transaction, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions and will require lower tier participants to comply with 2 C.F.R. Parts 180, 1200, and 1326.

- h. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 C.F.R. Part 9, Subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant is responsible for ensuring that its principals are not suspended, debarred, or otherwise ineligible to participate in covered transactions. To verify the eligibility of its principals, as well as the eligibility of any prospective lower tier participants, each participant may, but is not required to, check the System for Award Management Exclusions website (<https://www.sam.gov/>).
- i. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
- j. Except for transactions authorized under paragraph f of this Section IV.E.1, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 C.F.R. Part 9, Subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the federal government, the department or agency may terminate the transaction for cause or default.

2. Certification Regarding Debarment, Suspension, and Other Responsibility Matters - Primary Tier Covered Transactions

- a. The prospective primary tier participant certifies to the best of its knowledge and belief, that it and its principals:
 - i. Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participating in covered transactions by any federal department or agency;
 - ii. Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (federal, State or local) transaction or contract under a public transaction; violation of federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
 - iii. Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (federal, State or local) with commission of any of the offenses enumerated in paragraph (a)(ii) of this certification; and
 - iv. Have not within a three-year period preceding this application/proposal had one or more public transactions (federal, State, or local) terminated for cause or default.

- b. Where the prospective primary tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

3. Instructions for Lower Tier Participant Certification (applies to subrecipients)

- a. By submitting this proposal and accepting federal funding, the prospective lower tier participant is providing the certification set out below and agrees to comply with the requirements of 2 C.F.R. Parts 180, 1200, and 1326.
- b. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the federal government, the department or agency with which this transaction originated may pursue available remedies, including suspension or debarment.
- c. The prospective lower tier participant shall provide immediate written notice to the person to which this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
- d. The terms *covered transaction, civil judgment, debarment, suspension, ineligible, participant, person, principal, and voluntarily excluded*, as used in this clause, are defined in 2 C.F.R. Parts 180, 1200, and 1326. You may contact the person to whom this proposal is submitted for assistance in obtaining a copy of those regulations.
- e. The prospective lower tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 C.F.R. Part 9, Subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.
- f. The prospective lower tier participant further agrees by submitting this proposal that it will include the clause titled “Instructions for Lower Tier Participant Certification” including the “Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion- Lower Tier Covered Transaction,” without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions and will require lower tier participants to comply with 2 C.F.R. Parts 180 and 1200.
- g. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 C.F.R. Part 9, Subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant is responsible for ensuring that its principals are not suspended, debarred, or otherwise ineligible to participate in covered transactions. To verify the eligibility of its principals, as well as the eligibility of any prospective lower tier participants, each participant may, but is not required to, check the System for Award Management Exclusions website (<https://www.sam.gov>).

- h. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
- i. Except for transactions authorized under paragraph e of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 C.F.R. Part 9, Subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the federal government, the department or agency with which this transaction originated may pursue available remedies, including suspension or debarment.

4. Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion - Lower Tier Covered Transactions

- a. The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participating in covered transactions by any federal department or agency.
- b. Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

F. System for Award Management

Pursuant to 2 C.F.R. Part 25, an applicant or recipient (as the case may be) is required to: (i) be registered in the System for Award Management (SAM) before submitting its complete application packet; (ii) provide a valid unique entity identifier in its application; and (iii) continue to maintain an active SAM registration with current information at all times during which it has an active federal award or an application or plan under consideration by a federal awarding agency, unless otherwise excepted from these requirements pursuant to 2 C.F.R. § 25.110. NTIA will not make a federal award to an applicant until the applicant has complied with all applicable unique entity identifier and SAM requirements and, if an applicant has not fully complied with the requirements by the time that NTIA is ready to make a federal award pursuant to this NOFO, NTIA may determine that the applicant is not qualified to receive a federal award.

G. Submission Dates and Times

Complete applications must be received through the NTIA Application Portal no later than 11:59 p.m. Eastern Daylight Time (EDT) on **September 30, 2022**. Complete applications or portions thereof submitted by postal mail, courier, email, or by facsimile will not be accepted. All application forms and documents must be included with an applicant's complete application packet submission through the NTIA Application Portal.

When developing the submission timeline, each applicant should keep in mind that: (a) all applicants are required to have current registrations in the electronic System for Award

Management (SAM.gov); and (b) the free annual registration process in SAM.gov generally takes between three (3) and five (5) business days but can take more than three weeks. Please note that a federal assistance award cannot be issued if the designated recipient's registration in SAM.gov is not current at the time of the award.

NTIA expects to complete its review, selection of successful applicants, and award processing by **February 16, 2023**. NTIA expects that awards under this Notice of Funding Opportunity (NOFO) will be issued no earlier than **March 1, 2023**.

H. Intergovernmental Review

Applications from a State or a political subdivision of the State under this program are subject to Executive Order 12372, "Intergovernmental Review of Federal Programs," which requires intergovernmental consultation with State and local officials. All State applicants are required to submit a copy of their applications to their designated Single Point of Contact (SPOC) offices to the extent they utilize a SPOC.¹⁶

I. Funding Restrictions

1. Eligible Uses of Funds for the MMG Program

Grant recipients may only use federal award funds and any non-federal cost share committed to an award to pay for allowable costs under the MMG Program. Allowable costs are determined in accordance with the cost principles identified in 2 C.F.R. Part 200, including Subpart E of such regulations for States and non-profit organizations, and in 48 C.F.R. Part 31 for commercial organizations,¹⁷ as well as in the grant program's authorizing legislation. In addition, costs must be reasonable, necessary, allocable, and allowable for the proposed project, and conform to generally accepted accounting principles. Except as set out in paragraph d below (addressing allowable pre-application expenses), federal and non-federal funds committed to an award may only be used to cover allowable costs incurred and for allowable closeout costs incurred during the grant closeout process.

Based on the scope of the MMG Program, below are non-exclusive examples of eligible uses of MMG Program funds:

- a. Construction, improvement, and/or acquisition of facilities and telecommunications equipment required to deploy middle mile broadband facilities;

¹⁶ See 7 C.F.R. Part 3015, Subpart V.

¹⁷ The government has established a set of principles for determining eligible or allowable costs. Allowable costs are determined in accordance with the cost principles applicable to the entity incurring the costs. For example, the allowability of costs incurred by State, local or Federally-Recognized Indian tribal governments is determined in accordance with the provisions of 2 C.F.R. Part 200, Subpart E and the allowability of costs for commercial organizations is determined in accordance with the provisions of 48 C.F.R. Part 31, unless the Grants Officer decides in writing to apply the cost principles in 2 C.F.R. Part 200, Subpart E, to commercial organizations pursuant to 2 C.F.R. § 200.101(a)(2).

- b. Engineering design, permitting and work related to environmental, historical and cultural reviews;
- c. Personnel costs, including salaries and fringe benefits for staff and consultants required for the implementation of the MMG Program (such as project managers, program directors, subject matter experts, grant administrators, financial analysts, accountants, and attorneys);
- d. Reasonable, post-NOFO, pre-application expenses in an amount not to exceed \$50,000. Pre-application expenses, which include expenses related to preparing an application, may be reimbursed if they are incurred after the publication date of this NOFO and prior to the date of issuance of the grant award from NTIA, except that lobbying costs and contingency fees are not reimbursable from grant funds. These costs should be clearly identified in the proposed project budget and must be approved by NTIA and the Grants Officer in writing to be considered allowable. Additionally, pre-application costs are incurred at the sole risk of the applicant and will not be reimbursed by NTIA if the proposed project does not receive an award pursuant to this program; and
- e. Other costs necessary to carrying out programmatic activities of an award, not to include ineligible costs described below in Section IV.I.2 of this NOFO.

2. Ineligible Costs for the MMG Program

Ineligible costs include those costs that are unallowable under the applicable federal cost principles. Please note that costs ineligible for the MMG Program may not be paid for with the non-federal cost share committed to an award. In addition, the following costs are specifically identified as prohibited under the MMG Program:

a. Prohibition On Use of Grant Funds For Covered Communications Equipment Or Services under the Secure and Trusted Communications Networks Act

An award recipient or subrecipient (including contractors and subcontractors) may not use grant funds received under the MMG Program 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)).

b. Prohibition on Profit and Fees

A profit, fee, or other incremental charge above actual cost incurred by an award recipient or subrecipient is not an allowable cost under this Program.

c. Prohibition on Use of Grant Funds to Support or Oppose Union Organizing

An award recipient or any subrecipient may not use grant funds, whether directly or indirectly, to support or oppose union organizing.

d. Prohibition on Use of Grants Funds for Non-Middle Mile Infrastructure

An award recipient or subrecipient may not use grant funds received under the MMG Program for broadband infrastructure costs that are not necessary to complete the project that was proposed by the recipient and approved by NTIA.

3. Other

As a condition of receiving a grant under the MMG Program, a provider of broadband service that is receiving the grant is prohibited from using grant amounts:

- a. As collateral for a loan made by any public or private lender;
- b. For pre-application expenses, including previously incurred administrative costs or previously purchased equipment or construction activities, except as allowed in Section IV.I.1.d of this NOFO.

J. Material Representations and Public Disclosure of Applications

All forms and supporting documents submitted as part of the complete application packet will be treated as a material representation of fact upon which NTIA will rely in awarding grants. Applicants should be aware that NTIA may make all or portions of their applications for grants under the MMG Program publicly available as required under applicable federal laws. *See* Section VIII.B of this NOFO for additional information concerning the confidentiality of information contained in an application.

K. Other Submission Requirements

Complete applications for the MMG Program must be electronically submitted through the NTIA Application Portal, available at grants.ntia.gov. Late or incomplete applications and applications submitted by mail, courier, or by facsimile will not be accepted.

1. Timely Receipt Requirements and Proof of Timely Submission

Proof of timely submission is automatically recorded by the NTIA Application Portal. An electronic date/time stamp is generated within the system when the application is successfully submitted in the NTIA Application Portal. The applicant with the Authorized Organization Representative (AOR) role who submitted the application will receive an email acknowledgement of receipt from the NTIA Application Portal with the successful transmission of their application. Applications received in the NTIA Application Portal after the established due date for the program will be considered late and will not be considered for funding by NTIA.

2. Material Revisions

An applicant shall not be permitted to make any material revision to its application after the submission deadline. NTIA may, however, request or accept clarifications, revisions or

submissions for completeness that are non-material. It is in the Assistant Secretary's sole discretion whether a revision is material or not.

3. Amendments

Any amendments to this NOFO or additional program guidance will be announced on [NTIA.gov](https://www.ntia.gov) and [BroadbandUSA.NTIA.gov](https://www.broadbandusa.ntia.gov).

V. Application Review Information

A. Review Process for the MMG Program

The review process will be divided into several stages, as outlined below:

1. Initial Administrative and Eligibility Review of Complete Application Packets

NTIA will conduct an initial review of timely received applications submitted in response to this NOFO to determine eligibility, completeness, and responsiveness to the minimum threshold requirements and programmatic requirements of the MMG Program, including a review of the project narrative and budget justification. Applications submitted by any entity other than an eligible applicant will be eliminated from further review as well as any applications that fail to meet any of the requirements of Section III.B of this NOFO. NTIA may continue the initial administrative review process for an application that is timely submitted by an eligible applicant, but that is missing certain information or documentation required by this NOFO and will request missing or incomplete information from the applicant as needed. The applicant will have seven (7) calendar days to submit materials responsive to the feedback provided by NTIA, unless this period is extended by NTIA. An eligible applicant's failure to remedy deficiencies in a timely manner may result in NTIA's denial of the application.

After determining that an application is complete, NTIA will evaluate whether the proposed project meets the Infrastructure Act's threshold eligibility criteria (*see* Section III above) before entering proposals into the Merit Review stage (described below).

First, as directed by Section 60401(d)(3) of the Infrastructure Act (and detailed in Section III.B above), each applicant must provide evidence sufficient to demonstrate that it "is capable of carrying out a proposed project in a competent manner, including by demonstrating that the eligible entity has the financial, technical and operational capability to carry out the proposed project and operate the resulting middle mile broadband network."

Second, as directed by Section 60401(e)(3)(A) of the Infrastructure Act, each applicant (*i.e.*, eligible entity) must certify that the proposed project will, upon completion, be capable of supporting retail broadband service.

Third, as directed by Section 60401(f) of the Infrastructure Act, each applicant must commit to a non-federal cost share of no less than 30 percent of the total project cost. Under the statute, only Tribal governments and Native entities may request a partial or complete waiver of this

requirement for (i) the effective delivery and administration of middle mile grants to Tribal governments; or (ii) the construction, improvement, or acquisition of middle mile infrastructure on trust land. In the event that a Tribal government or Native entity seeks such a waiver, such entities must submit documentation substantiating the need for that waiver. *See* Section III.G.

Fourth, as directed by Section 60401(e) of the Infrastructure Act, each applicant must make a binding commitment to prioritize at least one of the following via the funded middle mile network:

- a. Connecting middle mile infrastructure to last mile networks that provide or plan to provide broadband service to households in unserved areas;¹⁸
- b. Connecting non-contiguous trust lands; or
- c. The offering of wholesale broadband service at reasonable rates on a carrier-neutral basis.

Fifth, as directed by Section 60401(e)(3)(D) of the Infrastructure Act, an eligible entity that receives a middle mile grant award to build a middle mile project using fiber-optic technology shall offer interconnection in perpetuity, where technically feasible without exceeding current or reasonably anticipated capacity limitations, on reasonable rates and terms to be negotiated with requesting parties. Such interconnection must include both the ability to connect to the public internet and physical interconnection for the exchange of traffic.

2. Merit Review

Applications satisfying the Initial Administrative and Eligibility Review will be evaluated by at least three objective reviewers who have demonstrated expertise in the programmatic and technical aspects of the Middle Mile Grant Program. Reviewers may be federal employees or non-federal persons. During the review process, the reviewers may discuss the applications with each other, but scores will be determined on an individual basis. As applicable, each reviewer will be required to sign and submit a nondisclosure and confidentiality form pertaining to the dissemination of confidential information and to potential financial and other conflicts of interest. Reviewers will evaluate applications according to the following evaluation criteria and will independently score each application based on a scale of 0-100.

a. Project Purpose and Benefits (60 points)

1. Extent to which the project will either (a) facilitate deployment of high-speed broadband networks to currently unserved or underserved areas or (b) improve affordability in already-served markets (*e.g.*, by reducing interconnection costs for last-mile providers or providing opportunities for competitive providers to offer last-mile service). (20 points)

¹⁸ Applicants must specify the date upon which they referenced the FCC fixed broadband map in any application. If the FCC Fixed Broadband Map is not available, NTIA and the applicants may use the most recent mapping data available as set forth in Section 60401(e)(3)(B)(i) of the Infrastructure Act in connection with the application and review process.

2. Whether the project will offer non-discriminatory interconnection in perpetuity, where technically feasible without exceeding current or reasonably anticipated capacity limitations, on reasonable rates and terms to be negotiated with requesting parties. Such interconnection must include both the ability to connect to the public internet and physical interconnection for the exchange of traffic.¹⁹ (10 points)
3. Whether the provider commits to offering access to the funded middle mile infrastructure, in perpetuity, on an open access basis.²⁰ (10 points)
4. Extent to which the project will otherwise benefit the proposed service area, including, but not limited to, by (a) facilitating development of carrier-neutral interconnection facilities; (b) improving the redundancy or resiliency of existing middle mile infrastructure; or (c) including direct interconnect facilities that will facilitate the provision of broadband service to anchor institutions located within 1,000 feet of the middle mile infrastructure at speeds of at least 1 Gbps symmetrical. (10 points)
5. Comprehensiveness and appropriateness of the proposed technical solution for meeting the community's needs, considering the offering's capacity and performance characteristics. Reviewers will consider the proposed network's ability to serve anticipated last mile networks, and to meet the increasing needs of the households, businesses, and anchor institutions in the areas linked by the middle mile facilities at issue. Reviewers will score favorably construction projects that are "shovel ready" and capable of completion within a two-year period. (10 points)

b. Project Sustainability (40 points)

1. Applicant's organizational capability to complete the specific project proposed.²¹ (5 points)

¹⁹ As noted above, such interconnection is required of applicants seeking to construct fiber-based middle mile infrastructure. The points allocated during Merit Review will be available both to fiber projects (which will automatically receive full points, because they cannot reach Merit Review without committing to interconnection meeting this requirement) and to non-fiber projects. This approach will ensure that fiber projects are not disadvantaged via other projects in the scoring process, while providing strong incentives for applicants proposing non-fiber projects to commit to the same interconnection required of fiber-based providers.

²⁰ As used in this context, "open access" refers to an arrangement in which the eligible entity offers nondiscriminatory access to and use of its network on a wholesale basis to other providers seeking to provide middle mile carriage using the eligible entity's funded network, at just and reasonable wholesale rates.

²¹ While applicants must demonstrate their capability in order to enter Merit Review at all, this scoring criterion will account for the extent to which an applicant is *particularly* capable of completing the project at issue. Reviewers will consider the experience and expertise of the project management team and the organization's track record with respect to projects of similar size and scope, as well as the organization's capacity and readiness. Reviewers will also assess the applicant's partnership and/or subrecipient strategy, including how that strategy complements the applicant's organizational capacity, as well as the project approach, feasibility, and timely completion of proposed project.

2. Reasonableness of the applicant’s proposed budget.²² (10 points)
3. Project’s fiscal sustainability beyond the award period.²³ (10 points)
4. Applicant’s commitment to contribute a non-federal cost share of more than 30 percent of the total eligible project costs as reflected in the proposed project budget. (5 points for non-federal share between 30 and 40 percent, 10 points for non-federal share between 41 and 50 percent, 15 points for more than 50 percent non-federal share)

3. Programmatic Review

a. Prioritization

Applications will be prioritized for programmatic review as follows:

1. NTIA will first review any application that received a mean score of 80 or higher during the Merit Review *and* for which the applicant has demonstrated that it will meet at least two of the five requirements set forth in Section 60401(d)(2) of the Infrastructure Act (*see* Section V.A.1);
2. NTIA will next review any other application receiving a mean score of 80 or higher during the Merit Review;
3. Applications receiving scores below 80, for which the applicant has demonstrated that it will meet at least two of the five requirements set forth in Section 60401(d)(2) of the Infrastructure Act (*see* Section V.A.1), may be entered into Programmatic Review after review of the prioritized applications in the event that (a) the Programmatic Review results in a slate of proposals that do not utilize the entirety of available MMG Program funds or (b) evaluation of other applications is deemed warranted at a later stage in the process to ensure geographic diversity or appropriate diversity in project sizes. At this stage of the review, applications with scores below 80 for which the applicant has demonstrated that it will meet at least two of the five requirements set forth in Section 60401(d)(2) of the Infrastructure Act (*see* Section V.A.1) will receive priority before other applications with scores below 80.

b. Programmatic Review Process

Programmatic Review will involve two steps:

²² Reviewers will evaluate the reasonableness of the budget based on (a) its clarity, level of detail, comprehensiveness, appropriateness to the proposed technical and programmatic solutions, (b) the reasonableness of its costs, (c) whether the allocation of funds is sufficient to complete the tasks outlined in the project plan, (d) the extent to which the project will leverage existing rights-of-way, assets, and infrastructure, and (e) the extent to which the applicant has secured reduction in permitting or other regulatory barriers.

²³ Reviewers will consider business plans, market projections, third-party funding commitments, and such other data as may be appropriate to the nature of the applicant and the proposed project. Reviewers will consider, among other things, demonstrations of community commitments or anchor tenant commitments that would help promote sustainability.

First, NTIA may ask applicants to submit additional information, as appropriate, to clarify or to further substantiate the representations made in their applications. NTIA Program Staff will review the supplemental information, along with all information submitted with the application, to confirm eligibility and ensure that the application warranted the score assigned during Merit Review. Applicants whose supporting documents are not complete, accurate, and timely submitted or that do not adequately substantiate the representations in their applications may be denied. NTIA will request supplemental documentation before deciding to deny such applications and will reevaluate the application package based on all of the information presented. Applicants will have five (5) calendar days to submit information responsive to the feedback provided by NTIA, unless this time period is extended by NTIA.

Second, NTIA will assess all projects that reach Programmatic Review to consider the extent to which those applications meet the criteria listed below and will calculate weighted scores to reflect each project's likelihood of advancing those goals. Specifically, based on the factors listed below, each project's mean Merit Review Score will be multiplied by between 1.0 (for projects that do not meet any of the objectives listed below) and 1.8 for projects that meet all of the criteria listed below). Weights will be assigned based on the following criteria:

1. Applicant's ability to demonstrate likelihood of material reduction in end-user broadband prices resulting from funded middle mile infrastructure (*e.g.*, by demonstrating decline in middle mile costs that are likely to flow through to consumer broadband prices).
2. Applicant's ability to demonstrate likelihood of material reduction in latency experienced by end users in remote or insular areas (*e.g.*, Hawaii and Pacific Ocean territories) resulting from funded middle mile infrastructure.
3. Applicant's ability to demonstrate that substantial benefits stemming from funded middle mile infrastructure will accrue to (a) high-poverty counties,²⁴ (b) persistent poverty counties,²⁵ and/or (c) a substantial number of end users/households that meet any of the following criteria:
 - a. Household income for the most recently completed calendar year was at or below 200 percent of the Federal Poverty Guidelines;
 - b. Any member of the household meets the qualifications of the Supplemental Nutrition Assistance Program, Medicaid, Federal Public Housing Assistance, Supplemental Security Income, Veterans and Survivors Pension benefit, or Special Supplemental Nutrition Program for Women, Infants, and Children;

²⁴ For the purposes of this requirement, high poverty areas are 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 (as determined under Section 673(2) of the Community Services Block Grant Act (42 U.S.C. § 9902(2)) is higher than the national percentage of such individuals.

²⁵ For the purposes of this requirement, persistent poverty counties are counties that have had poverty rates of 20 percent or greater for at least 30 years as calculated by the Economic Research Service in the Department of Agriculture.

- b. Any member of the household meets the qualifications of Tribal specific assistance programs, such as Bureau of Indian Affairs General Assistance, Tribal TANF, Tribal Head Start, or Food Distribution Program on Indian Reservations;
 - d. Any member of the household has applied for and been approved to receive benefits under the National School Lunch Program or the School Breakfast Program, including through the USDA Community Eligibility Provision;
 - e. Any member of the household received a Federal Pell Grant during the current award year;
 - f. The household meets the eligibility criteria for a participating provider's existing low-income internet program.
4. Applicant's ability to demonstrate that substantial benefits stemming from funded middle mile infrastructure will accrue to (a) previously unserved locations, and/or (b) Tribal Lands.
 5. Applicant's ability to demonstrate that the route of the proposed middle mile infrastructure is designed to enable connection of unserved anchor institutions, including Tribal anchor institutions.
 6. Applicant's ability to demonstrate compliance with requirements set forth in Sections III.H, III.I, III.J, and III.L related to Fair Labor Practices, Highly Skilled Workforce, Advancing Equitable Workforce Development and Job Quality Objectives, and Civil Rights and Non-Discrimination Law Compliance.
 7. Applicant's ability to demonstrate the climate resilience of the project in accordance with Section III.K.
 8. Applicant's proposed use of community benefit agreements.²⁶

With respect to each item above, each applicant should specify which of the above criteria it believes its project meets, and provide evidence that supports its position with respect to each criterion. Programmatic reviewers will consider the evidence presented on its own merit and will not seek out or consider material not included in the application except insofar as they request additional information to clarify or to further substantiate representations made in an application.

NTIA reserves the right at any time during the Programmatic Review process to negotiate with the applicant relative to specific modifications to the application, including but not limited to the resolution of any differences that may exist between the applicant's original request and NTIA's determination of Middle Mile Grant Program funding priorities. NTIA may also ask the applicant to modify its proposal (*e.g.*, to reduce its scope by removing or limiting proposed routes).

Upon completion of the Programmatic Review, NTIA Program Staff will summarize their analysis for each application reviewed, and will provide a ranked list of proposed projects, based on each project's weighted score, to the Associate Administrator for the Office of Internet

²⁶ A community benefit agreement is an agreement signed by community benefit groups and a developer, identifying the community benefits a developer agrees to deliver, in return for community support of the project.

Connectivity and Growth (OICG Associate Administrator). In the event the list of proposed projects does not account for the entirety of the funding available, NTIA Program Staff shall conduct a Programmatic Review for any application that attained a mean score of between 70 and 79 during Merit review and will add the projects with the highest weighted scores to the list it provides to the OICG Associate Administrator.

4. OICG Associate Administrator Review

Following the conclusion of the Programmatic Review, the OICG Associate Administrator will compose a list of the projects with the highest weighted scores, beginning with the highest-scored application, and moving in order down the list until the projects on the list account for all available MMG Program funds (or until addition of the next project listed would cause demand to exceed available funds), and prepare a package of recommended awards to the Selection Official for consideration, review, and approval. The OICG Associate Administrator's recommendations to the Selecting Official may differ from the ranked list of applications based on consideration of the following selection factors: (a) geographic diversity and (b) appropriate diversity in the size of the funding amount of proposed awards and will make substitutions as warranted.

5. Final Project Selection

After conducting the review described above, the OICG Associate Administrator shall provide a package of recommended awards to the Assistant Secretary for final review. As the Selecting Official, the Assistant Secretary retains discretion to select and recommend an application for funding that was not recommended by the OICG Associate Administrator and/or not to select an application that was recommended for funding by the OICG Associate Administrator based on (a) geographic diversity and (b) appropriate diversity in the size of the funding amount of proposed awards.

The Assistant Secretary will submit the applications recommended for funding, along with the basis for the selection decisions, to the National Institute of Science and Technology (NIST) Grants Officer, who serves as the Grants Officer for the Middle Mile Grant Program. The final approval of selected applications and the issuance of awards will be made by the NIST Grants Officer.

The award decisions of the NIST Grants Officer are final. All awards are subject to the availability of federal award funds at the time of award. Unsuccessful applicants will be notified in writing after all selections are finalized.

B. Federal Awarding Agency Review of Risk Posed by Applicants

After applications are proposed for funding by the Selecting Official, the NIST Grants Management Division (GMD) will perform pre-award risk assessments in accordance with 2 C.F.R. § 200.206, which may include a review of the financial stability of an applicant, the quality of the applicant's management systems, the history of performance, reports and findings from audits, and/or the applicant's ability to effectively implement statutory, regulatory, or other requirements imposed on non-federal entities. In addition, prior to making an award where the

total federal share is expected to exceed the simplified acquisition threshold (currently \$250,000), NIST GMD will review and consider the non-publicly available information about that applicant in the Federal Awardee Performance and Integrity Information System (FAPIIS). Upon completion of the pre-award risk assessment, NIST GMD will determine whether the applicant is qualified to receive the award and, if so, whether appropriate specific award conditions that correspond to the degree of risk posed by the applicant should be applied to the award.

C. Anticipated Announcement and Award Dates

NTIA expects to complete its review, selection of successful applicants, and award processing by **February 16, 2023**. NTIA expects that start dates for awards under this NOFO will be no earlier than **March 1, 2023**. NTIA anticipates announcing awards made under the MMG Program on a rolling basis during calendar year 2023.

VI. Federal Award Administration Information

A. Federal Award Notices

A grants officer from the NIST Grants Office will serve as the Grants Officer for awards issued pursuant to this NOFO. Applicants will be notified in writing by the NIST Grants Officer if their application is selected for an award. If the application is selected for funding, the NIST Grants Officer will issue the grant award (Form CD-450), which is the authorizing financial assistance award document. By signing the Form CD-450, the recipient agrees to comply with all award provisions, terms, and conditions.

If an applicant is awarded funding, neither NTIA nor NIST is under any obligation to provide any additional future funding in connection with that award or to make any future award(s). Amendment of an award to extend the period of performance is at the discretion of NTIA and the NIST Grants Officer.

B. Notification to Unsuccessful Applicants

Unsuccessful applicants will be notified by e-mail and will have the opportunity to receive a debriefing after the opportunity is officially closed. Applicants must make a request within 10 business days of the email notification to receive a debrief from NTIA. NTIA will then work with the unsuccessful applicant in arranging a date and time of the debrief.

C. Retention of Unsuccessful Applications

Unsuccessful applications will be retained in accordance with NTIA recordkeeping requirements.

D. Administrative and National Policy Requirements

Grant recipients will comply with applicable statutes and regulations, including but not limited to:

1. Uniform Administrative Requirements, Cost Principles and Audit Requirements

Through 2 C.F.R. § 1327.101, the Department of Commerce adopted Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards at 2 C.F.R. Part 200, which apply to awards in this program. Refer to <http://go.usa.gov/SBYh> and <http://go.usa.gov/SBg4>.

2. Department of Commerce Financial Assistance Standard Terms and Conditions

The Department of Commerce will apply to each award in this program, the Financial Assistance Standard Terms and Conditions in effect on the date of award. The current version, dated November 12, 2020, is accessible at [Department of Commerce Financial Assistance Standard Terms and Conditions](#). Refer to Section VII of this NOFO if you need more information.

3. Pre-Award Notification Requirements

The Department of Commerce will apply the Pre-Award Notification Requirements for Grants and Cooperative Agreements dated December 30, 2014 (79 FR 78390), accessible at <http://go.usa.gov/hKkR>. Refer to Section VII of this NOFO if you need more information.

4. Environmental and National Historical Preservation Requirements

Awarding agencies are required to analyze the potential environmental impacts, as required by the National Environmental Policy Act (NEPA) (42 U.S.C. § 4321 *et seq.*) and the National Historic Preservation Act (NHPA) (54 U.S.C. § 300101 *et seq.*) for applicant proposals and awardee projects seeking funding under the MMG Program. Applicants with projects containing construction and/or ground disturbing activities are required to submit all required environmental documentation in their application package or describe in their project narrative the physical project location, photographs, and how they will comply with applicable environmental and national historical preservation requirements. It is the applicant's responsibility to obtain all necessary federal, State, and local governmental permits and approvals necessary for the proposed work to be conducted. Applicants are expected to design their projects so that they minimize the potential for adverse impacts on the environment. Applicants also will be required to cooperate with NTIA in identifying feasible measures to reduce or avoid any identified adverse environmental impacts of their proposed projects. The failure to do so may be grounds for not making an award. Applications will be reviewed to ensure that they contain sufficient information to allow agency staff to conduct a NEPA analysis so that appropriate NEPA documentation can be submitted to NTIA, along with the recommendation for funding of the selected applications. If additional information is required after an application is accepted for funding, funds can be withheld by NTIA under a specific award condition requiring the awardee to submit additional environmental compliance information sufficient for the agency to make an assessment of any impacts that a project may have on the environment.

5. Property Trust Relationship and Public Notice Filings for Grant-Acquired Property

In accordance with 2 C.F.R. § 200.316, any real property, equipment, and intangible property, acquired or improved with a federal award must be held in trust by the recipient or subrecipient as trustee for the beneficiaries of the project or program under which the property was acquired or improved. This trust relationship exists throughout the duration of the property's estimated useful life, as determined by the Grants Officer in consultation with the Program Office, during which time the federal government retains an undivided, equitable reversionary interest in the property (Federal Interest). In this connection, NTIA may require the non-federal entity to record liens or other appropriate notices of record to indicate that personal or real property has been acquired or improved with a federal award and that use and disposition conditions apply to the property. Awards issued pursuant to this NOFO may contain specific award conditions pertaining to the use and disposition of grant-acquired property and to a requirement that the recipient or subrecipient file certain public notices (*e.g.*, UCC-1, Covenant of Purpose, Use and Ownership, etc.) with respect to grant-acquired property. NTIA may provide information regarding the useful life schedules associated with assets acquired with grant funds.

6. Domestic Preference for Procurements (Buy American)

The Infrastructure Act presents an important opportunity to ensure that American taxpayer dollars are spent procuring needed products and supplies from American workers and businesses, strengthening and growing U.S. domestic manufacturing capacity. Accordingly, all funds made available through the MMG Program for broadband infrastructure must comply with the Build America, Buy America Act.²⁷ The Build America, Buy America Act requires that all of the 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. Under the Build America, Buy America Act and the Buy America Guidance issued by the Office of Management and Budget on April 18, 2022,²⁸ the Secretary of Commerce (Secretary) may waive the application of this preference when (1) applying the domestic content procurement preference would be inconsistent with the public interest; (2) types of iron, steel, manufactured products, or construction materials are not produced in the United States in sufficient and reasonably available quantities or of a satisfactory quality; or (3) the inclusion of iron, steel, manufactured products, or construction materials produced in the United States will increase the cost of the overall project or other eligible activities by more than 25 percent. Consistent with the waiver principles detailed in Sec. 70921(b)(1) of the Build America, Buy America Act and the Buy America Guidance, the Secretary will seek to minimize waivers, and any waivers will be limited in duration and scope.

²⁷ Infrastructure Investment and Jobs Act of 2021, Division G, Public Law 117-58, 135 Stat. 429 (November 15, 2021).

²⁸ See Shalanda D. Young, Director, OMB, *Initial Implementation Guidance on Application of Buy America Preference in Federal Financial Assistance Programs for Infrastructure*, M-22-11 (Apr. 18, 2022), available at <https://www.whitehouse.gov/wp-content/uploads/2022/04/M-22-11.pdf> (Buy America Guidance).

In determining whether a product is produced in America, applicants must comply with definitions included in Section 70912 of the Build America, Buy America Act, 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, MMG funding may not be used 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).

7. Contracting with Small and Minority Businesses, Women's Business Enterprises, and Labor Surplus Area Firms

Minority Businesses Enterprises (MBEs) and Women's Business Enterprises (WBEs) are major catalysts for economic growth and job creation. However, data shows that MBEs and WBEs historically face significant contracting disparities compared to other businesses. Pursuant to 2 C.F.R. § 200.321, any eligible entity that receives an award must take all necessary affirmative steps to assure that minority businesses, women's business enterprises, and labor surplus area firms are used when possible. Affirmative steps must include:

- 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 subrecipients to take the affirmative steps listed above as it relates to its subcontractors.

E. Reporting

Eligible Entities will be required to comply with reporting requirements. In addition to the reporting requirements found in 2 C.F.R. Part 200, NTIA will provide additional reporting instructions in connection with the requirements set forth in this Section, including details on the manner and format that Eligible Entities will be required to report information (a) in support of federal agency obligations under the ACCESS BROADBAND Act, 47 U.S.C. § 1307, and

Infrastructure Act § 60105; and (b) on the use and performance of middle mile infrastructure funded under this MMG Program.

1. Bi-annual Performance Reporting and Final Report

An eligible entity that receives an award shall biannually, until the funds have been expended, submit to the Assistant Secretary (via email to the NTIA Federal Program Officer listed in the recipient's award documents) a report, with respect to the six-month period immediately preceding the report date, that:

1. Describes how the eligible entity expended the funds and includes an SF-425 form and all required financial reporting information.
2. Certifies that the eligible entity complied with the requirements of the Infrastructure Act and the MMG Program, including:
 - a. A description of each service provided with the grant funds; and
 - b. Information regarding the middle mile infrastructure constructed, improved, or acquired, including material describing specific routes deployed, splice points and interconnection points along such routes, interconnection points, any interconnection or wholesale agreements in place with third parties, and connections to last-mile infrastructure.
3. Describes whether the project prioritizes local hires.
4. Describes whether the project has a Community Benefit Agreement, with a description of any such agreement.
5. Identifies each subrecipient that received a subaward or subcontract from the eligible entity and a description of the specific project for which grant funds were provided.
6. Technical progress reporting information as prescribed in 2 C.F.R. § 200.329 (<http://go.usa.gov/xkVgP>) and [Department of Commerce Financial Assistance Standard Terms and Conditions](#) (dated November 12, 2020), Section A.01.
7. For projects over \$5,000,000 (based on expected total cost):
 - a. A recipient may provide a certification that, for the relevant project, all laborers and mechanics employed by contractors and subcontractors in the performance of such project are paid wages at rates not less than those prevailing, as determined by the U.S. Secretary of Labor in accordance with subchapter IV of chapter 31 of title 40, United States Code (commonly known as the "Davis-Bacon Act"), for the corresponding classes of laborers and mechanics employed on projects of a character similar to the contract work in the civil subdivision of the State (or the District of Columbia) in which the work is to be performed, or by the appropriate State entity pursuant to a corollary State prevailing-wage-in-construction law (commonly known as "baby Davis-Bacon Acts"). If such certification is not provided, an awardee must provide a project employment and local impact report detailing:
 - i. The number of contractors and sub-contractors working on the Project;

- ii. The number of workers on the Project hired directly and hired through a third party;
 - iii. The wages and benefits of workers on the Project by classification; and
 - iv. Whether those wages are at rates less than those prevailing.²⁹
- b. If a recipient has not provided a certification that a project either will use a unionized project workforce or includes a project labor agreement, meaning a pre-hire collective bargaining agreement consistent with section 8(f) of the National Labor Relations Act (29 U.S.C. § 158(f)), then the recipient must provide a project workforce continuity plan, detailing:
- i. Steps taken and to be taken to ensure the project has ready access to a sufficient supply of appropriately skilled and unskilled labor to ensure construction is completed in a competent manner throughout the life of the project (as required in Section III.B), including a description of any required professional certifications and/or in-house training, registered apprenticeships or labor-management partnership training programs, and partnerships with entities like unions, community colleges, or community-based groups;
 - ii. Steps taken and to be taken to minimize risks of labor disputes and disruptions that would jeopardize timeliness and cost-effectiveness of the project;
 - iii. Steps taken and to be taken to ensure a safe and healthy workplace that avoids delays and costs associated with workplace illnesses, injuries, and fatalities, including descriptions of safety training, certification, and/or licensure requirements for all relevant workers (*e.g.*, OSHA 10, OSHA 30, confined space, traffic control, or other training required of workers employed by contractors), including issues raised by workplace safety committees and their resolution;
 - iv. The name of any subcontracted entity performing work on the project, and the total number of workers employed by each such entity, disaggregated by job title; and
 - v. Steps taken and to be taken to ensure that workers on the project receive wages and benefits sufficient to secure an appropriately skilled workforce in the context of the local or regional labor market.

Recipients must maintain sufficient records to substantiate all information above upon request.

Reports must be submitted on a biannual basis for the periods ending March 31 and September 30 of each year. Reports will be due within 30 days after the end of the reporting period. Eligible entities shall certify that the information in the report is accurate.

²⁹ As determined by the U.S. Secretary of Labor in accordance with subchapter IV of chapter 31 of title 40, United States Code (commonly known as the “Davis-Bacon Act”), for the corresponding classes of laborers and mechanics employed on projects of a character similar to the contract work in the civil subdivision of the State (or the District of Columbia) in which the work is to be performed.

Eligible entities that receive an award shall comply with any other reasonable reporting requirements determined necessary by the Assistant Secretary. Further, in addition to the above requirements and those reporting requirements found in 2 C.F.R. Part 200, eligible entities that receive an award will be required to submit a final report as a part of the grant close-out process that describes the programmatic objectives achieved through the funding and completion of the grant-funded project, including those elements collected in the bi-annual report.

2. Provision of Information to NTIA, FCC, Relevant Tribal Governments, and State Broadband Offices

In accordance with and subject to the provisions of Section 60401(e)(3)(B)(ii) of the Infrastructure Act, an applicant that receives a middle mile grant award shall share the location of all middle mile broadband infrastructure constructed, improved, or acquired using such grant with the Assistant Secretary, the Commission, any Tribal government with jurisdiction over the area that will be served by the infrastructure, and the State broadband office for the State in which the area that will be served by the middle mile infrastructure is located.

F. Recipient Integrity and Performance Matters

In accordance with Section 872 of Public Law 110-417 (as amended; *see* 41 U.S.C. § 2313), if the total value of a recipient's currently active grants, cooperative agreements, and procurement contracts from all federal awarding agencies exceeds \$10,000,000 for any period of time during the period of performance of an award made under this NOFO, then the recipient shall be subject to the requirements specified in Appendix XII to 2 C.F.R. Part 200,³⁰ for maintaining the currency of information reported to SAM that is made available in the Federal Awardee Performance and Integrity Information System (FAPIIS) about certain civil, criminal, or administrative proceedings involving the recipient.

G. Audit Requirements

2 C.F.R. Part 200, Subpart F, adopted by the Department of Commerce through 2 C.F.R. § 1327.101, requires any non-federal entity that expends federal awards of \$750,000 or more in the recipient's fiscal year to conduct a single or program-specific audit in accordance with the requirements set out in the Subpart. Additionally, unless otherwise specified in the terms and conditions of the award, entities that are not subject to Subpart F of 2 C.F.R. Part 200 (*e.g.*, commercial entities) that expend \$750,000 or more in grant funds during their fiscal year must submit to the Grants Officer either: (i) a financial related audit of each DOC award or subaward in accordance with Generally Accepted Government Auditing Standards; or (ii) a project specific audit for each award or subaward in accordance with the requirements contained in 2 C.F.R. § 200.507. Applicants are reminded that NTIA, the Department of Commerce Office of Inspector General, or another authorized federal agency may conduct an audit of an award at any time.

³⁰ *See* 2 C.F.R. Part 200, Appendix XII, available at <http://go.usa.gov/cTBwC>.

H. Federal Funding Accountability and Transparency Act of 2006

In accordance with 2 C.F.R. Part 170, all recipients of a federal award made on or after October 1, 2010, are required to comply with reporting requirements under the Federal Funding Accountability and Transparency Act of 2006 (Pub. L. No. 109-282). In general, all recipients are responsible for reporting sub-awards of \$30,000 or more. In addition, recipients that meet certain criteria are responsible for reporting executive compensation. Applicants must ensure they have the necessary processes and systems in place to comply with the reporting requirements should they receive funding.³¹

VII. Federal Awarding Agency Contact(s)

A. Please direct programmatic inquiries to:

Sarah Bleau
Director of Middle Mile
Office of Internet Connectivity and Growth
National Telecommunications and Information Administration
U.S. Department of Commerce
1401 Constitution Avenue, NW
Washington, DC 20230
Phone: (202) 482-2048
Email: middlemile@ntia.gov

B. Please direct grant management inquiries to:

Scott McNichol
NIST Grants Officer
Grants Management Division
National Institute of Standards and Technology
325 Broadway
Boulder, CO 80305
Phone: (303) 497-3444
Email: scott.mcnichol@nist.gov

³¹ See Office of Management and Budget (OMB), Requirements for Federal Funding Accountability and Transparency Act Implementation, Interim final guidance to agencies with opportunity to comment, 75 FR 55663 (Sept. 14, 2010), available at <http://go.usa.gov/hKnQ>.

C. Please direct media inquiries to:

Stephen F. Yusko
Public Affairs Specialist
Office of Public Affairs
National Telecommunications and Information Administration
U.S. Department of Commerce
1401 Constitution Avenue NW, Room 4897
Washington, DC 20230
Phone: (202) 482-7002
Email: press@ntia.doc.gov

VIII. Other Information

A. Transparency

The Infrastructure Act contains robust reporting requirements for Eligible Entities, and requires NTIA, the Commission, and other agencies to coordinate to make information regarding federal broadband funding, low-cost plans, and other aspects of the MMG Program readily available to and understandable by the public. NTIA will fulfill its obligations to the fullest extent possible. Recipients of U.S. Department of Commerce and NTIA grants also should be cognizant of the access to records requirements set forth at 2 C.F.R. § 200.337.

B. Protected and Proprietary Information

The applicant acknowledges and understands that information and data contained in applications for financial assistance, as well as information and data contained in financial, performance, and other reports submitted by the applicant, may be used by the Department of Commerce in conducting reviews and evaluations of its financial assistance programs and for statistical purposes. For this purpose, information and data may be accessed, reviewed, and evaluated by Department of Commerce employees, other federal employees, federal agents and contractors, and/or by non-federal personnel, all of whom enter into appropriate confidentiality and nondisclosure agreements covering the use of such information. As may be provided in the terms and conditions of a specific financial assistance award, applicants are expected to support Program reviews and evaluations by submitting required financial and performance information and data in an accurate and timely manner, and by cooperation with the Department of Commerce and external program evaluators. In accordance with 2 C.F.R. § 200.303(e), applicants are reminded that they must take reasonable measures to safeguard protected personally identifiable information and other confidential or sensitive personal or business information created or obtained in connection with a Department of Commerce financial assistance award.

NTIA will protect confidential and proprietary information from public disclosure consistent with applicable law, including the Trade Secrets Act, as amended (18 U.S.C. § 1905) and the Economic Espionage Act of 1996 (18 U.S.C. § 1831 *et seq.*). In the event that a submission contains information or data deemed to be confidential commercial information or that otherwise should not be publicly disclosed, that information should be identified, bracketed, and marked as

Privileged, Confidential, Commercial or Financial Information. Based on these markings, the confidentiality of the contents of those pages will be reviewed for protection consistent with applicable law.

Additionally, some of the information submitted in the course of applying for funding under this Program or provided in the course of its grant management activities, may be considered law enforcement sensitive or otherwise important to national security interests. This may include threat, risk, and needs assessment information, and discussions of demographics, transportation, public works, and industrial and public health infrastructures. In the event that a submission contains such information or data, that information should be identified, bracketed, and marked appropriately. Based on these markings, the confidentiality of the contents of those pages will be reviewed for protection consistent with applicable law. The applicant should be familiar with the regulations governing Protected Critical Infrastructure Information (6 C.F.R. Part 29) and Sensitive Security Information (49 C.F.R. Part 1520), as these designations may provide additional protection to certain classes of homeland security information.

C. Funding Availability and Limitation of Liability

Funding for the program listed in this NOFO is contingent upon the continued availability of appropriations. In no event will NTIA, NIST or the Department of Commerce be responsible for application preparation costs, including, but not limited to, if the program fails to receive funding or is cancelled because of agency priorities. Publication of this NOFO does not oblige NTIA, NIST or the Department of Commerce to award any specific project or to obligate any available funds. NTIA will fund only projects that are deemed likely to achieve the MMG Program's goals and for which funds are available.

D. Third Party Beneficiaries

The MMG Program is not intended to and does not create any rights enforceable by third party beneficiaries.

E. Waiver Authority

It is the general intent of NTIA not to waive any of the provisions set forth in this NOFO. However, under extraordinary circumstances and when it is in the best interest of the federal government, NTIA, upon its own initiative or when requested, may waive the provisions in this NOFO. Waivers may only be granted for requirements that are discretionary and not mandated by statute or other applicable law. Any request for a waiver must set forth the extraordinary circumstances for the request.

F. Paperwork Reduction Act

This NOFO contains an information collection requirement subject to the Paperwork Reduction Act (PRA) (44 U.S.C. § 3501 *et seq.*). The PRA requires each federal agency to seek and obtain OMB approval before collecting information from the public. Federal agencies may not collect information unless it displays a currently valid OMB control number. For purposes of the MMG Program, NTIA will use the MMG forms in the Application for Broadband Grant Programs

information collection (0660-0046) and Standard Forms 424 (Application for Federal Assistance), 424C (Budget Information for Construction Programs), 425 (Federal Financial Report), and SF-LLL (Disclosure for Lobbying Activities) under the respective control numbers 4040-0004, 4040-0008, 4040-0014, and 4040-0013.

G. Transparency, Accountability, And Oversight Required

1. Generally

NTIA, recipients, and subrecipients have a critical role to play in ensuring that the MMG Program is implemented in a manner that ensures transparency, accountability, and oversight sufficient to, among other things:

1. Minimize the opportunity for waste, fraud, and abuse;
2. Ensure that recipients of middle mile grants use grant funds to further the overall purpose of the Program in compliance with the requirements of the Infrastructure Act, this NOFO, 2 C.F.R. Part 200, and other applicable law; and
3. Allow the public to understand and monitor grants and subawards awarded under the Program.

To that end, NTIA shall:

1. Conduct such audits of recipients and subrecipients as are necessary and appropriate.
2. Develop monitoring plans, subject to the approval of the Assistant Secretary, that may include site visits or desk reviews, technical assistance, and random sampling of compliance requirements.
3. Impose specific conditions on grant awards designed to mitigate the risk of nonperformance where appropriate.

Each award recipient and/or subrecipient shall, as appropriate:

1. Comply with the reporting requirements set forth in Section VI.E above.
2. Comply with the obligations set forth in 2 C.F.R. Part 200 and DOC Financial Assistance Standard Terms and Conditions.
3. Establish and widely publicize telephone numbers and email addresses for the recipient's internal ethics office (or comparable entity) for the purpose of reporting waste, fraud, or abuse in the Program. Recipients shall produce copies of materials used for such purpose on request of the Federal Program Officer.

2. U.S. Department of Commerce Office of Inspector General

The U.S. Department of Commerce Office of Inspector General (OIG) seeks to improve the efficiency and effectiveness of the Department's programs, including deterring and detecting fraud, waste, abuse, and mismanagement. The OIG accomplishes this mission primarily through investigations, audits, and inspections of Department activities, including grants, cooperative agreements, loans, and contracts.

a. Disclosures

Recipients of financial assistance originating from the U.S. Department of Commerce, including NTIA, shall timely disclose, in writing, to the OIG and awarding agency, whenever, in connection with the award, performance, or closeout of this grant or sub-award thereunder, the recipient has credible evidence that a principal, employee, agent, or sub-recipient has committed:

1. A violation of federal criminal law involving fraud, conflict of interest, bribery, or gratuity violations found in Title 18 of the United States Code; or
2. A violation of the civil False Claims Act (31 U.S.C. §§ 3729-3733).

b. Reporting

The OIG maintains a hotline to receive allegations of fraud, waste, or abuse. To report such allegations, please visit <https://www.oig.doc.gov/Pages/Hotline.aspx>. Upon request, the OIG will take appropriate measures to protect the identity of any individual who reports misconduct, as authorized by the Inspector General Act of 1978, as amended. Reports to the OIG may also be made anonymously.

3. Whistleblower Protection

Recipients, sub-recipients, and employees working on this grant award will be subject to the whistleblower rights and remedies established under 41 U.S.C. § 4712.

An employee of a recipient or sub-recipient may not be discharged, demoted, or otherwise discriminated against as a reprisal for disclosing information that the employee reasonably believes is evidence of: gross mismanagement of a federal contract or award; a gross waste of federal funds; an abuse of authority (*i.e.*, an arbitrary and capricious exercise of authority that is inconsistent with the mission of NTIA or the U.S. Department of Commerce or the successful performance of a contract or grant awarded by NTIA or the Department) relating to a federal contract or award; a substantial and specific danger to public health or safety; or a violation of a law, rule, or regulation related to a federal contract (including the competition for or negotiation of a contract) or grant.

The recipient or sub-recipient shall inform its employees and contractors, in writing, in the predominant language of the workforce or organization, of employee whistleblower rights and protections under 41 U.S.C. § 4712, as described above and at <https://www.oig.doc.gov/Pages/Whistleblower-Protection-Program.aspx>.

4. Enforcement

NTIA shall take enforcement action against recipients as necessary and appropriate. A recipient (or applicable subrecipient) that fails to comply with any requirement under Section 60401 of the Infrastructure Act or this NOFO shall be required to return up to the entire amount of the award at the discretion of the Assistant Secretary (or, in the case of a subrecipient, the Assistant Secretary or the recipient).

NTIA may also enforce applicable rules and laws by imposing penalties for nonperformance, failure to meet statutory obligations, or wasteful, fraudulent, or abusive expenditure of grant funds. Such penalties include, but are not limited to, imposition of additional award conditions, payment suspension, award suspension, grant termination, de-obligation/clawback of funds, and debarment of organizations and/or personnel.

H. Unauthorized Use of Funds

To the extent that the Assistant Secretary or the Inspector General of the Commerce Department determines that a MMG Program recipient or subrecipient has expended grant funds received under the MMG Program in violation of the requirements set forth in Section 60401 of the Infrastructure Act, 2 C.F.R. Part 200, the terms and conditions of the award, or other applicable law, the Assistant Secretary shall, if appropriate, recover the amount of funds that were so expended.



MIDDLE MILE BROADBAND INFRASTRUCTURE GRANT PROGRAM

Grant Application Guidance



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PROGRAM GUIDANCE



Program Guidance

1.1 Before You Get Started

Before preparing and submitting an application, Applicants should read the Notice of Funding Opportunity (NOFO), this Grant Guidance, and the compliance and background materials posted at www.internetforall.gov. The Office of Internet Connectivity and Growth (OICG) at National Telecommunications and Information Administration (NTIA) anticipates a large volume of applications from highly qualified entities. By carefully reviewing these materials, Applicants will help ensure that their application is complete and satisfies the requirements of the Middle Mile Grant (MMG) Program. Please note that all Applicants are required to be registered and current in www.SAM.gov and have a Unique Entity Identifier (UEI) number.

1.2 How do I register with the System Award Management (SAM)?

Access <https://www.sam.gov> and complete the online SAM registration process to obtain a UEI (SAM) or verify if your organization already has one.

1.3 How long does SAM registration usually take?

The free annual registration process in SAM.gov generally takes between three (3) and five (5) business days but can take more than three (3) weeks.

1.4 Standard Terms and Conditions for Department of Commerce Grants

All MMG Applicants are required to comply with all applicable provisions set forth in the Department of Commerce (DOC) Pre-Award Notification, available at <http://go.usa.gov/hKkR>.

Other Standard Terms and Conditions include:

1. Uniform Administrative Requirements, Cost Principles and Audit Requirements
Through 2 C.F.R. § 1327.101, the Department of Commerce adopted Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards at 2 C.F.R. Part 200, which apply to awards in this program. Refer to <http://go.usa.gov/SBYh> and <http://go.usa.gov/SBg4>.
2. Department of Commerce Financial Assistance Standard Terms and Conditions
The Department of Commerce will apply to each award in this program, the Financial Assistance Standard Terms and Conditions in effect on the date of award. The current version, dated November 12, 2020, is accessible at Department of Commerce Financial Assistance Standard Terms and Conditions. Refer to Section VII of the MMG NOFO if you need more information

1.5 Submitting a Proposal

1.5.1 Key Dates

The electronic application system will be available at <http://www.internetforall.gov>, beginning June 21, 2022. Upon completion of the application, the application portal will provide a date and time stamped confirmation that will serve as proof of submission. Applicants are strongly encouraged to submit their applications early to avoid last-minute congestion on the intake system.

However, early submissions will not confer any advantage or priority in review.

Application Deadline

The deadline for electronically filing an application is 11:59 p.m. Eastern Daylight Time (EDT) on September 30, 2022.

1.5.2 Eligibility and Requirements

In order for an application to be accepted, applicants must be eligible (see Applicant Information 2.1: Eligible Entities) and must submit all requirements outlined in Section III.B of the NOFO. These requirements include submitting information with regards to financial certifications, a letter of credit, audited financial statements, managerial capability (narrative and submitted materials), technical capability, compliance with laws, operational capability, and information on ownership. For more details on these requirements, see the NOFO and this application guide.

1.5.3 Requirements for Electronic Submissions

The [application package](#) for electronic submission is available at www.internetforall.gov. Electronic submission of applications will allow for the expeditious review of each Applicant's proposal.

Electronic Submission

- ◆ MMG Program Funding Opportunity Number: **NTIA-MMG-2022**
- ◆ MMG Program Catalog of Federal Domestic Assistance (CFDA) Number: **11.033**
- ◆ MMG CFDA Title: **Middle Mile Grant Program**

1.5.4 Confidentiality

NTIA will protect confidential and proprietary information from public disclosure to the extent authorized by applicable law, including the Freedom of Information Act (FOIA), as amended (5 U.S.C. 552), the Trade Secrets Act, as amended (18 U.S.C. 1905), and the Economic Espionage Act of 1996 (18 U.S.C. 1831 et seq.). Applications submitted in response to this NOFO may be subject to requests for release under the FOIA. In the event that an application contains information or data that the Applicant deems to be confidential commercial information that is exempt from disclosure under FOIA, that information should be identified, bracketed, and marked as Privileged, Confidential, Commercial or Financial Information. Based on these markings, the confidentiality of the contents of those pages will be protected to the extent permitted by law.

Applicants should be aware that NTIA may make all or portions of their applications for grants under the MMG Program publicly available as required under applicable federal laws.

1.5.5 Upload Templates

Applicants are required to upload a number of documents using templates. Many templates are provided, including Table of Funded Participants and Unfunded Collaborators, Data Specification Submission, Pro Forma, Community Anchor Institutions, Budget Narrative, and Detailed Budget Justification. Other templates are available to download on www.grants.gov, including CD-511 and SF-LLL. Finally, some templates have been built into the portal platform, such as SF-424 and SF-424C. NTIA intends to use the



information contained within some of these templates to perform automated processing and analysis. To ensure an expeditious review of applications, these documents must be uploaded in the same file type as the provided template or as indicated in the template. In addition, the formatting of each uploaded document must be consistent with that used in the provided template. Failure to provide file types and information consistent with the templates will result in NTIA being unable to automatically process the application and may result in the delayed processing or rejection of the application.

Applicants should ensure that their uploaded files are not password protected.

1.5.6 Upload without Templates

Applicants will need to upload documents that lack a standardized template. These non-template uploads include Resumes of Key Personnel, a Management Team and Organizational Chart, Certificate of Operational Capability, Certification of Technical Capability, Tribal Certification, Certification of Financial Capability, Letter of Credit, Network Route Map, Network Logical Diagram, Negotiated Indirect Cost Rate Agreement, Financial Statements, and supplemental information which is encouraged such as Certification of Compliance with Federal Labor and Employment Laws, Last Mile Service Provider Letters of Commitment, Proposed Service Offerings, and a copy of the Applicant's SAM registration. In general, NTIA recommends Applicants upload these files in PDF format.

Applicants should ensure that their uploaded files are not password protected.

1.5.7 Material Revisions of Submitted Applications

Per the NOFO, Applicants are not permitted to make any material revision to their applications after the submission deadline. NTIA may request or accept clarifications, revisions, or submissions for completeness that are non-material.

1.5.8 Waivers

It is the general intent of NTIA not to waive any of the provisions set forth in this NOFO. However, under extraordinary circumstances and when it is in the best interest of the federal government, NTIA, upon its own initiative or when requested, may waive identified provisions in this NOFO. Waivers may only be granted for requirements that are discretionary and not mandated by statute or other applicable law. Any request for a waiver must set forth the extraordinary circumstances for the request.

1.5.9 Buy American

All funds made available through the MMG Program for broadband infrastructure must comply with the Build America, Buy America Act (Act) Pub. L. No. 117-58, §§ 70901-52. This Act requires that all of the iron, steel, manufactured products, and construction materials used in the project are produced in the United States unless a waiver is requested and granted. Under the Build America, Buy America Act, the Secretary of Commerce (Secretary) may waive the application of this preference when (1) applying the domestic content procurement preference would be inconsistent with the public interest; (2) types of iron, steel, manufactured products, or construction materials are not produced in the United States in sufficient and reasonably available quantities or of a satisfactory quality; or (3) the inclusion of iron, steel, manufactured products, or construction materials produced in the United States will increase the cost of the overall project by more than 25 percent. Consistent with the waiver principles detailed in Sec. 70921(b)(1) of the Act, the Secretary will seek to minimize waivers related to awards that result in a decrease in employment in the United States, including employment among entities that manufacture the articles, materials, or supplies at issue or result in awarding a contract that would decrease domestic employment.

1.5.10 Final Considerations

Application Best Practices

- Before applying, Applicants should fully read the NOFO for MMG funding as well as applicable OMB circulars such as 2 CFR 200 Uniform Guidance which govern administrative requirements, cost principles, and audits.
- Applicants may receive funding only for costs established in the NOFO as eligible costs for the appropriate project category.
- If an Applicant fails to submit a fully complete application, including all required supplemental materials, the application will not be reviewed or considered for an award.
- Once the application has been submitted, it is presumed that the application is final, and the Applicant will no longer be able to make changes to the application.

1.6 Acknowledgement

Question: Before applying, Applicants should fully read NOFO for MMG funding. Among other things, Applicants should be familiar with the following rules and requirements. Please check the box to acknowledge that you have read applicable rules in the NOFO governing this program as well as the confidentiality notice above.

As the first step in completing the application, NTIA requires that the Applicant acknowledge that it has read and is aware of all of the MMG rules and requirements. Each Applicant is required to review the above list of items and check a box at the beginning of the application to indicate acknowledgement of these notices as well as the applicable rules in the NOFO governing this program. Please refer to the [NOFO](#) for further information about the definitions referenced in this list or the intent of the various rules.

It is important that all Applicants and members of their teams become familiar with the program rules for this program and review the NOFO.

By submitting the application, an Applicant certifies that the information and responses in the application are material representations of fact and are true and correct.

NTIA GRANTS PORTAL REGISTRATION

NTIA Grants Portal Registration

1.1 NTIA Grants Portal and Program Support

For issues with logging into the NTIA Grants Portal, adding users, navigating the website or application intake system, uploading forms or templates, and more, please contact NGHelpdesk@ntia.gov.

For grant program related questions, including program guidelines or the Notice of Funding Opportunity (NOFO), the requested contents of the application or application forms and templates, questions on program eligibility, including eligible program costs or activities, application review process, program technical assistance, and more, please contact the respective program team:

- Middle Mile Grant Program middlemile@ntia.gov
- Broadband Equity Access and Deployment Program bead@ntia.gov
- State Digital Equity Planning Grant Program digitalequity@ntia.gov

For any other questions, please reach out to internetforall@ntia.gov.

1.2 How to Access the NTIA Grants Portal

The NTIA Grants Portal is where the application will be completed, and it can be accessed here:

<https://grants.ntia.gov/grantsPortal/s/>

Use one of the following browsers to access the Portal. Refer to the [Supported Browsers to Access the Portal](#) page for more information.

- Chrome Latest Release (Recommended)
- Microsoft Edge Chromium (Recommended)
- Mozilla Firefox Latest Release
- Safari

Desktop and Laptop Browsers
Salesforce supports these browsers. Make sure that your browsers are up to date. Other browsers or older versions of supported browsers aren't guaranteed to support all features.

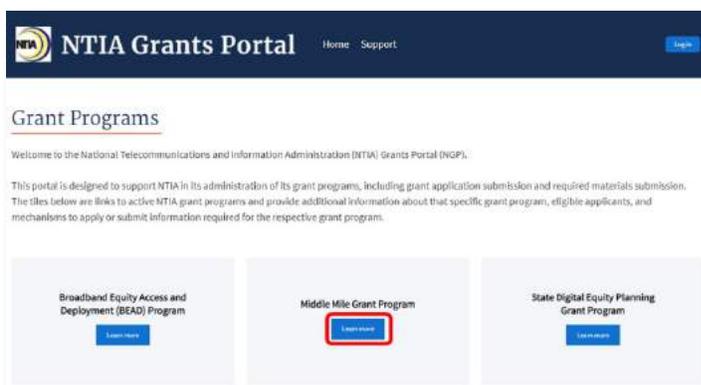
IMPORTANT Support for Internet Explorer 11 to access Lightning Experience ended on December 31, 2020.

- When using IE11, a permanent banner displays in your Salesforce org indicating that you're on an unsupported browser.
- IE11 has significant performance issues in Lightning Experience.
- This change doesn't impact Salesforce Classic.

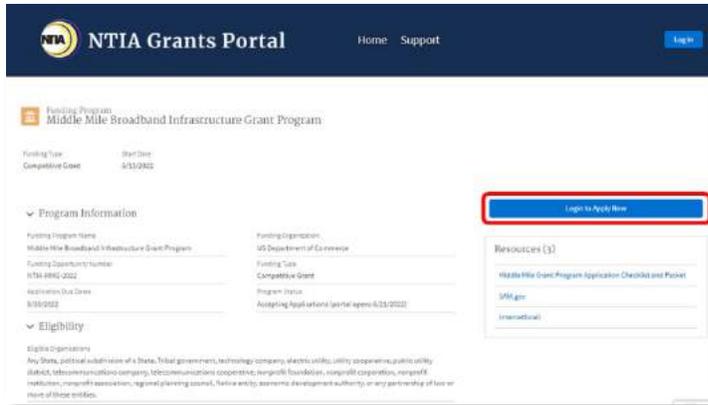
IMPORTANT Support for the non-Chromium version of Microsoft Edge in Lightning Experience and Salesforce Classic ended on December 31, 2020.

	MICROSOFT® INTERNET EXPLORER®	MICROSOFT® EDGE (NON-CHROMIUM)	MICROSOFT® EDGE CHROMIUM	GOOGLE CHROME™	MOZILLA® FIREFOX®	APPLE® SAFARI®
Lightning Experience	Not supported	Not supported	Supports latest stable browser version			
Experience Builder sites	Not supported	Not supported	Supports latest stable browser version			
Special setup considerations?	Not supported	Not supported	No	No	No	No
Limitations?	Yes	Yes	Yes	No	Yes	Yes

1.3 NTIA Grant Programs Page



Click the **Learn More** button under the Middle Mile Broadband Infrastructure Grant Program to get to the home page.



When you click the **Learn More** button on the landing page, you will be taken to the Program specific Home page (the Middle Mile program home page is illustrated to the left).

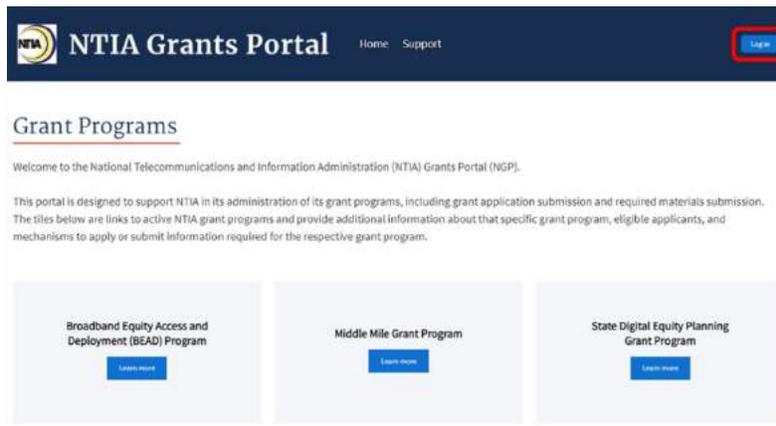
If you are logged in, you can start your application for the Middle Mile Broadband Infrastructure Grant Program by clicking the **Apply Now** button.

If you have not logged in yet, the button

will show **Log in to Apply Now**. This will take you to the login page.

1.4 Log in and Self-Registration

Click the **Log in** button in the upper right corner to sign in as a registered Portal user or to self-register the first time you access the portal.



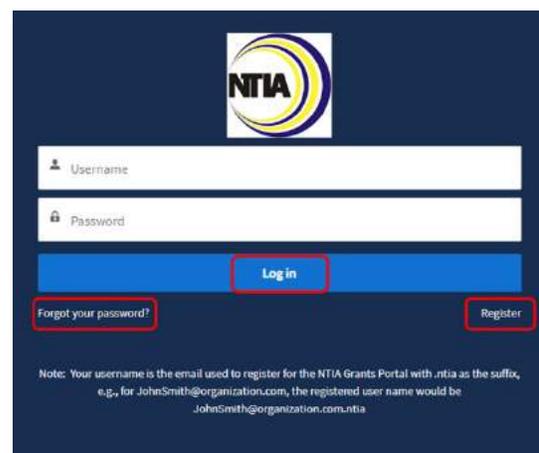
1.4.1 Log in

If you are new to the portal and need to register for the first time, click **Register** below the blue Log in button.

If you have a Username and Password, enter the username and password and click the blue **Log in** button to move forward.

Important: Upon completing registration, your Username will be the email address used to register for the NTIA Grants Portal appended with **“.ntia”** as the suffix. As an example, for JohnSmith@organization.com email address, the Username would be JohnSmith@organization.com.ntia.

If you forgot your password, click **Forgot your password?** below the blue Log in button on the login screen.



1.4.2 Reset Password

Enter your Username, which is the email address used to register for the NTIA Grants Portal appended with “.ntia” as the suffix. As an example, for JohnSmith@organization.com email address, the Username would be JohnSmith@organization.com.ntia. Then click the **Reset Password** button, or click Cancel to cancel and return to the login screen.

For assistance, email the NTIA Grants Portal Help Desk at ngphelpdesk@ntia.gov.

1.4.3 Portal Registration & Approval

As part of the Portal registration process, approval is required for State and Territory entity types before registration is complete. Approval is not required for all other entity types.

For State and Territory entity types, follow the instructions below to register, NTIA will send an approval email with a link to complete the process.

For all other entity types, follow instructions 1. and 2. below, then proceed to instruction 4.

1. Register to access the NTIA Grants Portal by entering contact information in the fields provided. A red asterisk (*) indicates a required field. Once all fields are completed, click the blue **Sign Up** button.

Note: Sam.gov UEI registration information will be required at a later step in the application process.

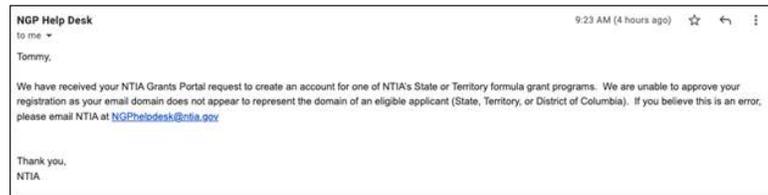
If you have registered previously, click **Already have an account?** to log in.

- Click the **Entity Type** field to select the entity type. For State/Territory Government entity types, start typing the name of your State or Territory in the State/Territory Organization Name field to select the from the list of States and Territories. For other entity types, complete the additional required fields indicated by a red asterisk (*). Click the blue **Sign Up** button to complete this step of the registration process.

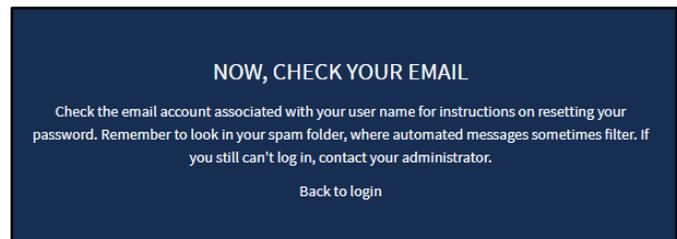
- Keep an eye out for the approval email, confirming your registration and steps to complete the registration and login process.



In the event of receiving an email indicating that you are not approved, contact NTIA for assistance.



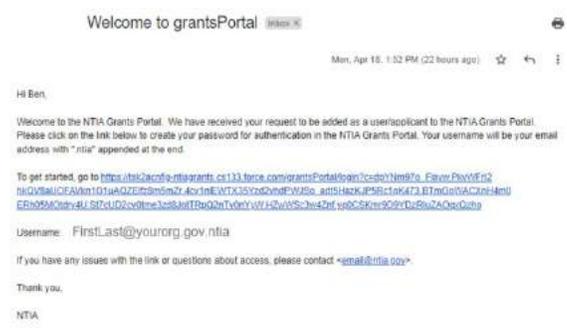
- For entity types other than State and Territory entities, the following screen will appear after clicking the **Sign Up** button. Proceed to the next instruction for Registration Welcome Email with Initial Login Link.

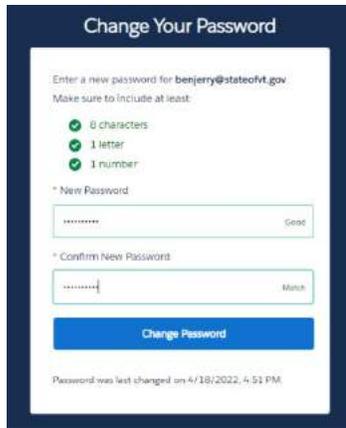


1.4.4 Registration Welcome Email with Initial Login Link

- Open your *Welcome Email* and click on the login link.

Important: Your Username is your email address appended with **.ntia**, please make a note of it for future use when logging into the Portal.





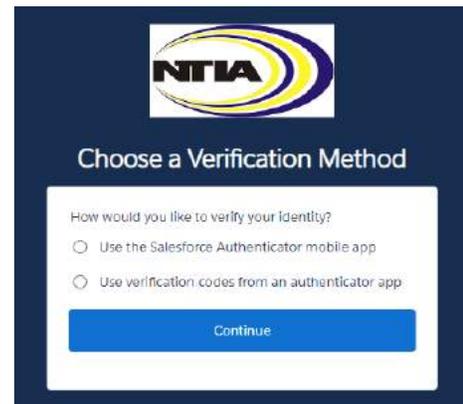
6. You will be asked to **Change Your Password**. Enter a password according to the requirements indicated, then click the **Change Password** button.

1.5 Setting Up Multi-Factor Authentication

After setting up your password, you will be asked to set up a verification method using Multi-Factor Authentication (MFA) to verify your identity each time you log in. You will be guided in the subsequent steps to download and install an authentication app of your choice onto your mobile device.

1. Click the **radio button** to select the app you prefer to use either the Salesforce Authenticator mobile app or another authenticator app. Once selected, click the **Continue** button.

For more information about using the Salesforce Authenticator mobile app for multi-factor authentication, view this video: [How to Use Salesforce Authenticator for MFA Logins](#).



What is Multi-Factor Authentication?

Multi-factor authentication (MFA) is a digital authentication method used to confirm the identity of a user to allow them access to a website or app through at least two pieces of evidence. With an authenticator app downloaded onto your mobile device, users are given an automatically generated code that refreshes, typically every 30 seconds. Using an authenticator app on your mobile device bolsters your online security.

2. If you selected to use the Salesforce Authenticator mobile app verification method, follow the instructions on the **Connect Salesforce Authenticator** screen, or use the instructions outlined in the following sections.

1.5.1 Downloading and Installing the Salesforce Authenticator

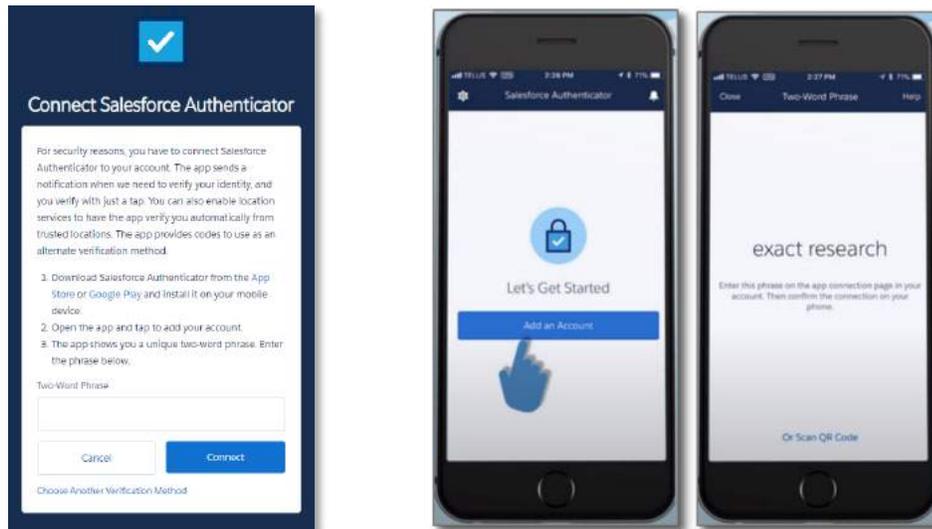
1. Search for Salesforce Authenticator in your phone's app store.
 - a. iPhone/iOS users will search in the Apple App Store.
 - b. Android users will search in the Google Play Store.
2. Follow your screen's prompts to install the app on your phone.

3. Open the Salesforce Authenticator app and follow the verification setup activities when you are prompted (mobile number verification, four-digit passcode setup).

1.5.2 Connecting the Salesforce Authenticator to Your NTIA Grant Portal Login

1. In the Salesforce Authenticator app on your mobile device, tap **Add an Account**.
2. A unique two-word phrase will appear in the app, enter the phrase into the **Connect Salesforce Authenticator** screen and click **Connect**.
3. Confirm the connection in the Salesforce Authenticator app and you will have successfully paired your account.

Note: You will only need to connect your account once. You will continue to use the Salesforce Authenticator to approve future logins.



If you opt to use another authenticator app (other than the Salesforce Authenticator App), follow the instructions on the **Connect an Authenticator App** screen. The following is a list of commonly used Authenticator Apps available to download from the app store onto your mobile device:

- Google Authenticator
- Lastpass
- Microsoft Authenticator
- Authy by Twilio
- 2FA Authenticator
- Duo Mobile
- Aegis Authenticator



Note: You will only need to connect (pair) your account once with an authenticator app. You will continue to use the authenticator app to approve future logins.

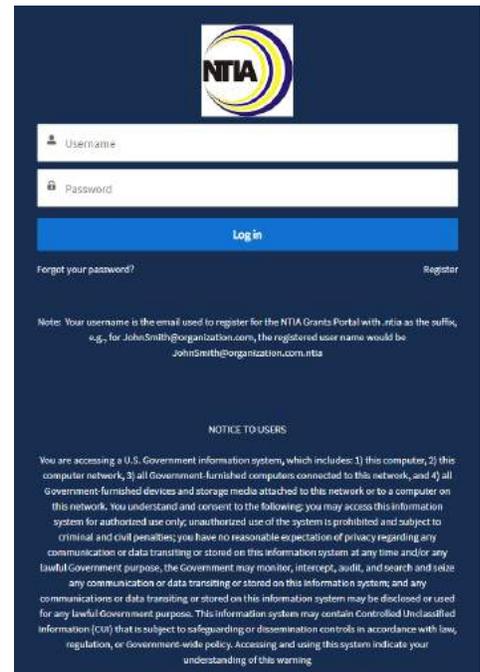
1.6 Log into the NTIA Grants Portal Using the Connected Authenticator App

<https://grants.ntia.gov/grantsPortal/s/>

Once you have installed and connected the authenticator app on your mobile device, you will continue to use the app to verify your identity each time you log into the Portal.

1. Enter your Username (your email address appended with **.ntia**) and Password into the fields in the NTIA Grants Portal on your computer web browser. The Portal will send a notification to your mobile device.
2. The authenticator app will provide details of the login request, including Username, Service, Device, and Location.
3. Review the login details, then tap **Approve**; if you do not recognize the request, tap **Deny**.

Note: To make logging in easier, enable **Always approve from this location** from the Salesforce Authenticator to automatically approve requests matching location and login information.



The screenshot shows the NTIA Grants Portal login interface. At the top is the NTIA logo. Below it are two input fields: 'Username' and 'Password'. A blue 'Log in' button is positioned below the password field. To the left of the button is a link for 'Forgot your password?' and to the right is a link for 'Register'. A note below the login fields states: 'Note: Your username is the email used to register for the NTIA Grants Portal with .ntia as the suffix, e.g., for JohnSmith@organization.com, the registered user name would be JohnSmith@organization.com.ntia'. Below the note is a 'NOTICE TO USERS' section with a warning about government information systems and Controlled Unclassified Information (CUI).

NTIA GRANTS PORTAL WORKSPACE

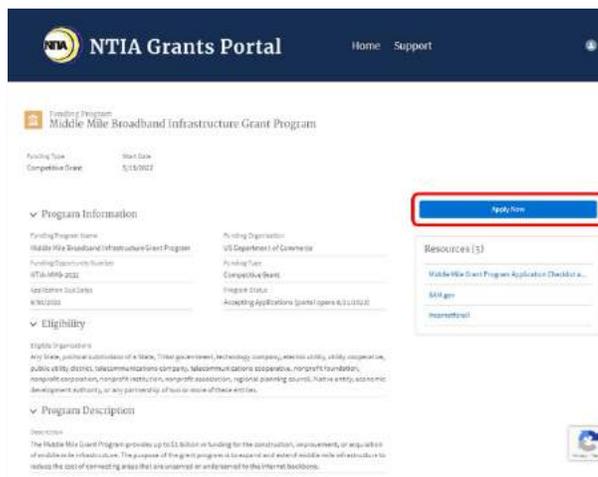
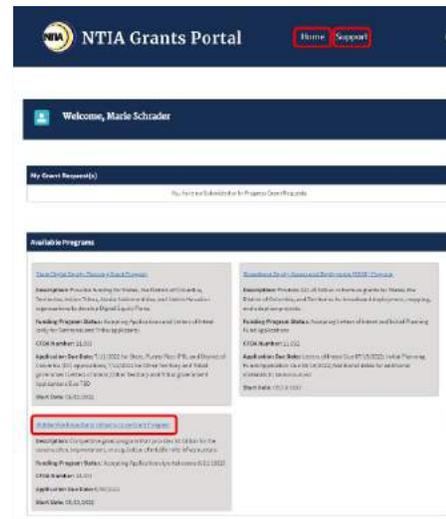
NTIA Grants Portal Workspace

1.1 Navigating the NTIA Grants Portal Home Page

The **Home** button at the top of the screen returns you to your NTIA Grants Portal home page, showing a 'Welcome, Your Name' banner at the top. The **Support** button takes you to a screen with NTIA Support contact information.

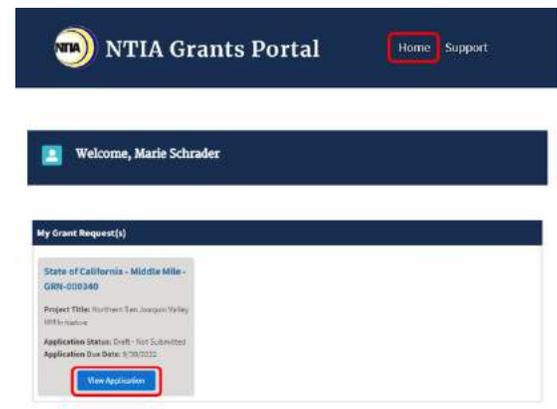
If a grant request has not yet been started, the **My Grant Request(s)** section will be empty. To start a new grant request, follow these instructions:

1. From the **Available Programs** section, click on the link: **Middle Mile Broadband Infrastructure Grant Program**.



2. Click the **Apply Now** button. If needed, access the **Resources** links.

3. To access a previously initiated application, click the **Home** button. Under the **My Grant Request(s)** section, click the **View Application** button to open the Application Workspace of that application. Each application is uniquely identified by the entity name, the name of the grant program, and appended with a system-generated number (i.e., State of California - Middle Mile - GRN-000340), and by the project title entered during the application process on the SF-424 form.



- Because an entity can apply for more than one grant, the My Grant Request(s) section will contain all applications, and will be uniquely identified by the entity name, the name of the grant program, and appended with a system-generated number (i.e., State of California - Middle Mile - GRN-000340), and by the project title entered during the application process on the SF-424 form. To start a new grant application, follow the instructions above.

1.2 Navigating the Portal Application Workspace

1.2.1 My Grant Request(s)

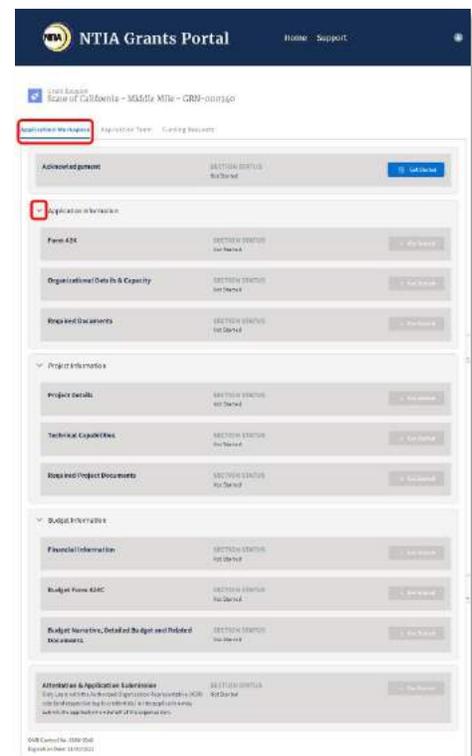
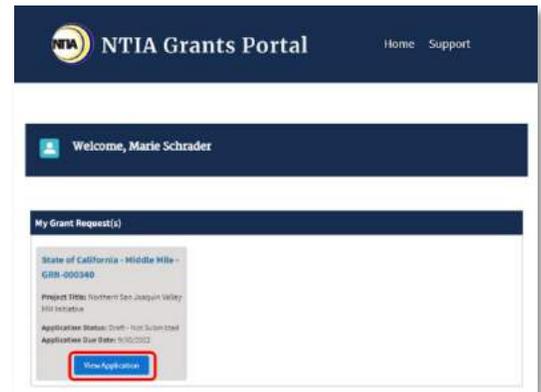
Once logged into the Portal, the applicant's Home page displays any initiated applications under the My Grant Request(s) section. Each application is uniquely identified by the entity name, the name of the grant program, and appended with a system-generated number (i.e., State of California - Middle Mile - GRN-000340), and by the project title entered during the application process on the SF-424 form.

Click the **View Application** button to access the Application Workspace for that application.

1.2.2 Application Workspace Tab

The **Application Workspace** tab contains sections and subsections of the overall application listed in the suggested order in which to complete the application:

- Acknowledgement
- Application Information
 - Form 424
 - Organizational Details & Capacity
 - Required Documents
- Project Information
 - Project Details
 - Technical Capabilities
 - Required Project Documents
- Budget Information
 - Financial Information
 - Budget Form 424C
 - Budget Narrative, Detailed Budget and Required Documents
- Attestation & Application Submission

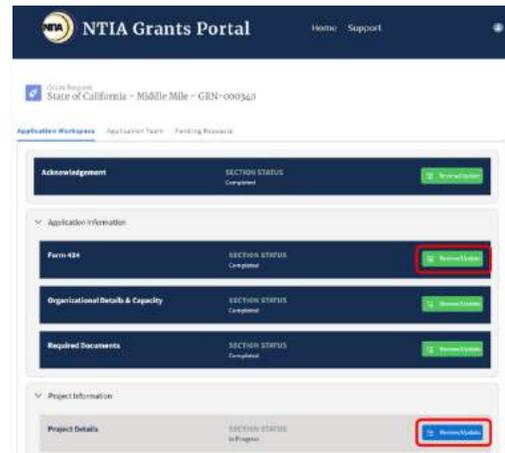


Sections are expandable and collapsible by clicking the **arrow** next to each section title. Each subsection reflects a **Section Status**, such as Not Started, In Progress, or Completed. Use the scroll bar on the right side of the screen to scroll up and down the Application Workspace

1.3 Returning to Application Workspace Sections

1.3.1 Reviewing & Updating Application Sections

To return to an In Progress or Completed section to review or update application documentation and responses, click the **Review/Update** button. Upon attestation and submission, all sections become locked.

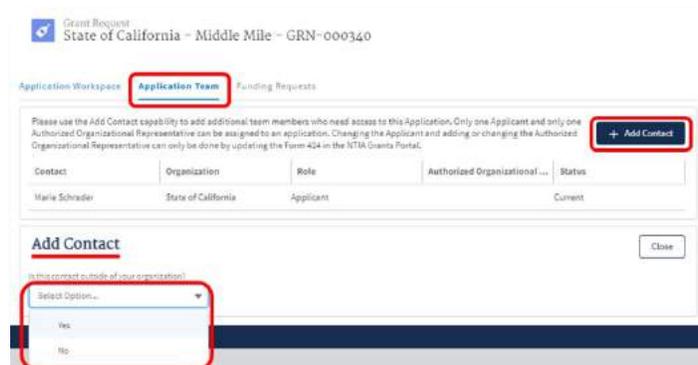


1.4 Application Team Tab

Add team members early on who will participate in the application process. Because each team member will have their own login credentials, plan to coordinate among team members so as not to overwrite application information.

Note: Please use the Add Contact capability (see steps below) to add additional team members who need access to an Application. Only one Applicant and only one Authorized Organizational Representative can be assigned to an application. Changing the Applicant and adding or changing the Authorized Organizational Representative (AOR) can only be done by updating the Form 424 in the NTIA Grants Portal.

1. To add additional team members, click the **Application Team** tab, then click the **+ Add Contact** button. Indicate if the contact is outside of your organization by selecting **Yes** or **No** from the drop down in the Add Contact section.



- Enter the new team member contact information in the Add Contact fields, a red (*) asterisk indicates a required field. Click the **Save** button, or the **Save & New** button to add additional team members. Click the **Close** button to close the Add Contact section.

The new team member will receive a Welcome Email with a link to log into the portal.

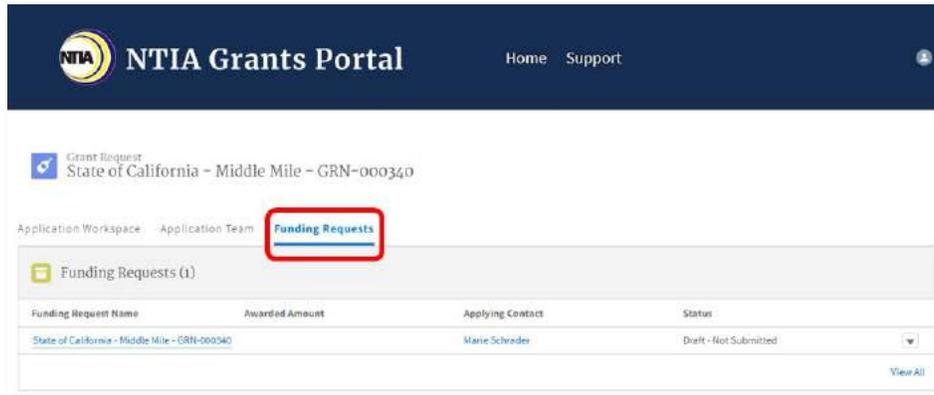
Note: The link in the Welcome Email will expire after 7 days. If a new login link is needed, the applicant team member can go to **Forgot your password?** on the login page and enter their Username to receive a new login link via email. Or contact NTIA to request a new email with a login link.

To update the role of an Application Team member, click the drop-down menu under Role and select the new role, then click the Save button. To remove a team member, click the drop-down menu under Status and select Former as the new status, then click the Save button.

Note: You will be able to see who is assigned as Applicant and as AOR, but you cannot manage those users within the Application Teams tab. To add or change the Applicant or AOR, you will need to create a new Form 424.

1.5 Funding Requests Tab

To view the overall status of the application, click the **Funding Requests** tab.

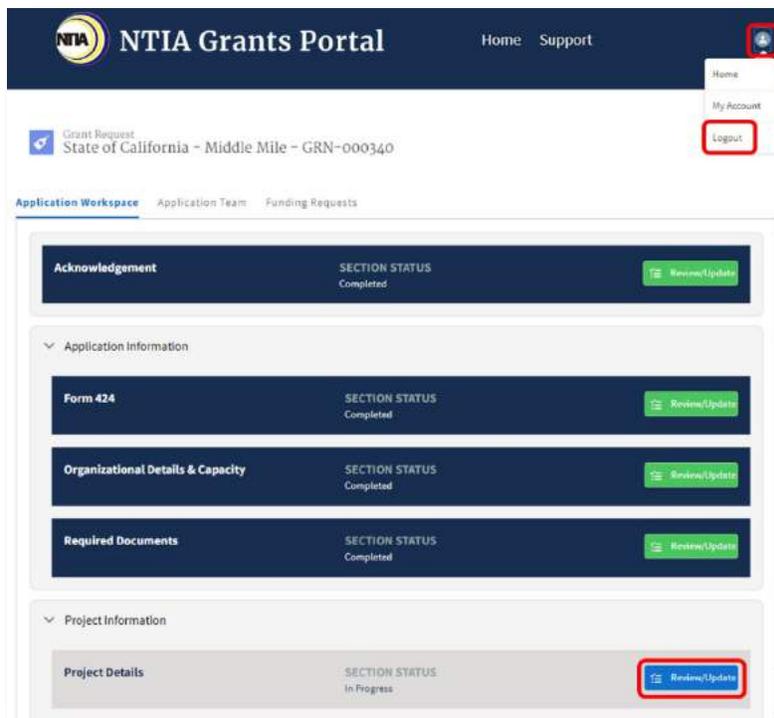


1.6 Saving Your Work and Logging Out

Important: Save your work within any section by clicking the **Save**, or **Next**, or **Save and Next**, etc., button; the Section Status will display as In Progress. If you enter information on a screen and do not click **Save** or **Next**, your work from that page will not be saved and you will need to re-enter it.

From the main Application Workspace, click the **Review/Update** button to return to your saved work.

To log out of the Portal, click the profile icon in the upper right then click **Logout**.



APPLICANT INFORMATION

Applicant Information

1.0 SF-424  Required

Field Number	Field Name	Required or Optional	Information
1	Type of Submission	Required	<p>Select one type of submission in accordance with agency instructions.</p> <ul style="list-style-type: none"> • Pre-application • Application • Changed/Corrected Application - <p>Check if this submission is to change or correct a previously submitted application. Unless requested by the agency, Applicants may not use this form to submit changes after the closing date.</p>
2	Type of Application	Required	<p>Select one type of application in accordance with agency instructions.</p> <ul style="list-style-type: none"> • New - An application that is being submitted to an agency for the first time. • Continuation - An extension for an additional funding/budget period for a project with a projected completion date. This can include renewals. • Revision - Any change in the federal government's financial obligation or contingent liability from an existing obligation. If a revision, enter the appropriate letter(s). More than one may be selected. <p>A: Increase Award B: Decrease Award C: Increase Duration D: Decrease Duration E: Other (specify) AC: Increase Award, Increase Duration AD: Increase Award, Decrease Duration BC: Decrease Award, Increase Duration BD: Decrease Award, Decrease Duration</p>
3	Date Received	Required	<p>Enter date if form is submitted through other means as instructed by the Federal agency. The date received is completed electronically if submitted via Grants.gov</p>
4	Applicant Identifier		<p>Enter the entity identifier assigned by the Federal agency, if any, or the Applicant's control number if applicable.</p>
5a	Federal Entity Identifier		<p>Enter the number assigned to your organization by the federal agency, if any.</p>

Field Number	Field Name	Required or Optional	Information
5b	Federal Award Identifier		For new applications, leave blank. For a continuation or revision to an existing award, enter the previously assigned federal award identifier number. If a changed/corrected application, enter the federal identifier in accordance with agency instructions.
6	Date Received by State:		Leave this field blank. This date will be assigned by the state, if applicable
7	State Application Identifier:		Leave this field blank. This date will be assigned by the state, if applicable
8	Applicant Information:		Enter the following in accordance with agency instructions
	a. Legal Name:	Required	Enter the legal name of the Applicant that will undertake the assistance activity. This is the organization that has registered with the System for Award Management (SAM). Information on registering with SAM may be obtained by visiting SAM.gov.
	b. Employer/Taxpayer Number (EIN/TIN):	Required	Enter the employer or taxpayer identification number (EIN or TIN) as assigned by the Internal Revenue Service. If your organization is not in the US, enter 44-4444444.
	c. UEI:	Required	Enter the organization's UEI received from SAM. The UEI is a unique 12-character organization identifier. Information on registering with System for Award Management (SAM.gov) may be obtained by visiting the Grants.gov website.
	d. Address:	Required	Enter address: Street 1 (required); City (required); County/Parish, State (required if country is US); Province; Country (required); 9-digit ZIP/Postal Code (required if country is US). If +4 does not exist for the address, enter "0000".
	e. Organizational Unit		Enter the name of the primary organizational unit, department, or division that will undertake the assistance activity.
	f. Name and contact information of person to be contacted on matters involving this application.	Required	Enter the first and last name (required); prefix, middle name, suffix, and title. Enter organizational affiliation if affiliated with an organization other than that in 7.a. Telephone number and email (required); fax number.

Field Number	Field Name	Required or Optional	Information
9	Type of Applicant: Select Applicant Type	Required	Select a minimum of one Applicant type or select up to three Applicant types in accordance with agency instructions. If "Other" is selected, then specify Other Type of Applicant in text box. A. State Government B. County Government C. City or Township Government D. Special District Government E. Regional Organization F. U.S. Territory or Possession G. Independent School District H. Public/State Controlled Institution of Higher Education I. Indian/Native American Tribal Government (Federally Recognized) J. Indian/Native American Tribal Government (Other than Federally Recognized) K. Indian/Native American Tribally Designated Organization L. Public/Indian Housing M. Nonprofit N. Private Institution of Higher Education O. Individual P. For-Profit Organization (Other than Small Business) Q. Small Business R. Hispanic-serving Institution S. Historically Black Colleges and Universities (HBCUs) T. Tribally Controlled Colleges and Universities (TCCUs) U. Alaska Native and Native Hawaiian Serving Institutions V. Non-US Entity W. Other (specify)
10	Name of Federal Agency	Required	Enter the name of the federal agency from which assistance is being requested with this application. This information is pre-populated if submitting through Grants.gov
11	Catalog Of Federal Domestic Assistance Number/Title	Required	Enter the Catalog of Federal Domestic Assistance number and title of the program under which assistance is requested, as found in the program announcement, if applicable. This information is pre-populated if using Grants.gov.
12	Funding Opportunity Number/Title	Required	Enter the Funding Opportunity Number and title of the opportunity under which assistance is requested as

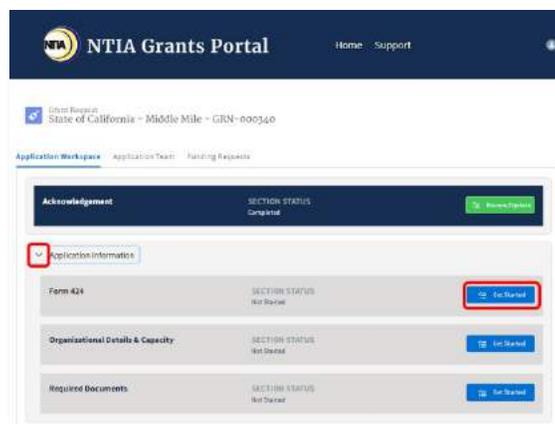
Field Number	Field Name	Required or Optional	Information
			found in the program announcement. This information is pre-populated if using Grants.gov.
13	Competition Identification Number/Title:		Enter the competition identification number and title of the competition under which assistance is requested, if applicable. These fields are pre-populated by Grants.gov if provided by the federal agency.
14	Areas Affected By Project:		This data element is intended for use only by programs for which the area(s) affected are likely to be different from the place(s) of performance reported on the SF-424 Project/Performance Site Location(s) Form. Add attachment to enter additional areas, if needed.
15	Descriptive Title of Applicant's Project:	Required	Enter a brief descriptive title of the project. Supporting documents may be attached if specified in agency instructions.
16	Congressional Districts	Required	16a. Enter the Applicant's congressional district. 16b. Enter the primary district affected by the program or project. Enter in the following format: 2-character state abbreviation – 3 characters district number, e.g., CA-005 for California 5th district, CA-012 for California 12th district, NC-103 for North Carolina's 103rd district. If all congressional districts in a state are affected, enter "all" for the district number, e.g., MD-all for all congressional districts in Maryland. If nationwide, i.e., all districts within all states are affected, enter US-all. If the program/project is outside the US, enter 00.000. This optional data element is intended for use only by programs for which the area(s) affected are likely to be different than place(s) of performance reported on the SF-424 Project/Performance Site Location(s) form. Attach an additional list of program/project congressional districts, if needed.
17	Proposed Project Start and End Dates:	Required	Enter the proposed start date and end date of the project.
18	Estimated Funding:	Required	Enter the amount requested, or to be contributed during the first funding/budget period by each contributor. Value of in-kind contributions should be included on appropriate lines, as applicable. If the action will result in a dollar change to an existing award, indicate only the amount of the change. For decreases, enclose the amounts in parentheses. For zero funding, enter 0.

Field Number	Field Name	Required or Optional	Information
19	Is Application Subject to Review by State Under Executive Order	Required	Applicants should contact the State Single Point of Contact (SPOC) for Federal Executive Order 12372 to determine whether the application is subject to the State intergovernmental review process. Select the appropriate box. If "A." is selected, enter the date the application was submitted to the State.
20	Is the Applicant Delinquent on any Federal Debt?	Required	Select the appropriate box. This question applies to the Applicant organization, not the person who signs as the authorized representative. Categories of federal debt include but may not be limited to: delinquent audit disallowances, loans, and taxes. If yes, include an explanation in an attachment.
21	Authorized Representative	Required	To be signed and dated by the authorized representative of the Applicant organization. Enter the first and last name (required), prefix, middle name, and suffix. Enter title, telephone number, fax number, and email. Fax number is not required. A copy of the governing body's authorization for you to sign this application as the official representative must be on file in the Applicant's office. (Certain federal agencies may require that this authorization be submitted as part of the application.) If the application is submitted via Grants.gov, the signature of the authorized representative and the date signed are completed upon submission.

Some of these fields will pre-populate as a result of the data entered when the Applicant's organization was added.

1.1 SF 424 Submission Instructions

To begin the SF-424 section, click the **Get Started** button.



1. The overall steps for completing the Form 424 section are displayed in the sidebar to the right and serve as a visual navigation aid. To expand or collapse a subsection, click the **header title**.

Using the fields provided, enter application information. Various fields will be pre-populated with previously provided information. A red asterisk (*) indicates a required field. Help Text is available whenever there is an icon with a small 'i' inside a gray circle; hover with your cursor over the icon to display the help text. Use the scrollbar to the right to scroll up and down the modal. To close the modal without saving, click the X in the upper right corner.

2. Click the **Save and Next** button to proceed to the next step, Program and Project Information.

- Click each **header** of the Program and Project Information step to expand or collapse the section. Enter program information using the fields provided. Some information previously provided will be pre-populated in various fields. Use the **scroll bar** to scroll to the next section to continue entering information for the remaining field(s). A red asterisk (*) indicates a required field.

- Click the **Save and Next** button to proceed to the next step, Estimated Funding. Click the **Previous** button to go back to the previous step.

- Enter estimated funding information in the fields provided. A red asterisk (*) indicates a required field. Note: The following fields must match:

- Form 424 18a must match Form 424C 17c
- Form 424 18g must match Form 424C 16c

Click the **Previous** button to go back to the previous step; click the **Save and Next** button to proceed to the next step, Questions.

- Click the **radio button** to select a response to the questions presented. A red asterisk (*) indicates a required field. For question 19, if you select response 'a.', select a **State Review Date**. For question 20, if you select 'Yes', provide an explanation in the space provided.

Click the **Save and Next** button to proceed to the next step, Authorized Organizational Representative. Click the **Previous** button to go back to the previous step

- Enter the Authorized Organizational Representative (AOR) information in the fields provided. A red asterisk (*) indicates a required field.

The AOR will receive an email notification indicating that they have been added to the Funding Program application. If they are not already registered with the NTIA Grants Portal, they will receive a second email with a link to set their password to the grant portal (see the [Registration Welcome Email with Initial Login Link](#) section of this guide and follow the instructions). If the current Applicant indicates themselves as the AOR, they will not receive an email, as they are already registered in the Portal.

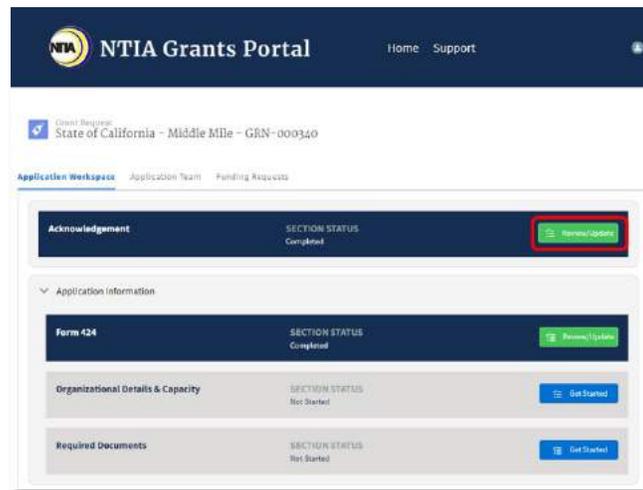
Click the **Previous** button to go back to the previous step; click the **Save and Generate PDF** button to complete the Form 424 Section.

Once you click Save and Generate, a new browser tab will open with the generated pdf. The generated Form 424 will be saved on your application record in the Portal and will be available for attestation, review, and download by the AOR during the final step before submission. Certain fields on the form, such as 'Date Received' and the AOR signature, will not be populated until the application is attested to and submitted by the AOR, and the PDF will be regenerated.

If the designated AOR needs to be updated, return to the Form 424 to make the change. Refer to the instructions above for guidance.

- Click the download button or the print button in the upper right corner to save a copy of the pdf for your records. Please note that some fields will remain empty until the final submission, when the SF-424 will be regenerated and the final dates and AOR signature will be added.

- Return to the **Application Workspace** still open on the previous browser tab. The SF-424 Section Status now shows as Completed. Click the **Review/Update** button to review or update the SF-424 form.



2.0 Organizational Details & Capacity

2.1 Eligible Entities

To be eligible for funding under MMG, Applicants must be one of the following types of entities:

- State, political subdivision of a State, Tribal government
- Technology company, electric utility, utility cooperative, public utility district, telecommunications company, telecommunications cooperative
- Nonprofit foundation, nonprofit corporation, nonprofit institution, nonprofit association
- Regional planning council
- Native entity
- Economic development authority
- A partnership of two (2) or more entities described above.

In addition, all Applicants must: (1) submit a fully completed application, and (2) provide at least 30 percent non-federal cost share match or request a waiver of such cost share

2.2 Primary Applicant

If a single eligible entity is applying, that entity is the Primary Applicant by default. However, if this is a partnership of eligible entities, the Applicant may designate the Primary Applicant at this point. When multiple organizations are involved in a project, the Primary Applicant must be able to enter into a Grant Agreement with NTIA and be willing to assume financial and operational responsibility for the project. If the project is awarded a MMG award, the Primary Applicant becomes the prime recipient.

Primary Applicants should have experience implementing projects of similar size and scope.

Contact Information

Please provide complete and accurate name and contact information for the Applicant's primary contact

person. NTIA will use the information entered here to contact this person on matters involving this application. It is crucial that the MMG program has accurate information, including a reliable phone and email for rapid correspondence. Reminder: all information provided in the contact section will be made public.

Applications submitted on behalf of multiple organizations should provide contact information for the Primary Applicant. Those organizations that serve as partners in the project should be identified at later stages in the application.

Additional Contacts

The Applicant should provide complete and accurate name and contact information for any additional persons to be contacted on matters involving this application. It is crucial that NTIA has accurate information for alternate points of contact in the event that the primary contact becomes unreachable or is no longer affiliated with the Applicant’s organization. Please enter a reliable alternate phone and email for each.

Collaborator

A collaborator is a team member who is not part of the Applicant’s organization. A collaborator who is added to an application will be given access to help complete the application. An example of a collaborator is an external consultant or grants writer.

Authorized Organizational Representative

Question: Please identify the Authorized Organization Representative.

The Applicant should identify their Authorized Organization Representatives (AOR). An AOR is a member of your organization authorized to submit applications in Grants.gov on behalf of the organization.

Only the AOR will be able attest that all statements are true and submit the application.

2.3 Foreign Ownership

The Applicant will be asked to confirm if the Parent or Owner Company is a foreign entity. Please check as appropriate and identify the country if relevant.

2.4 Key Personnel Resumes and Organization Chart ⚠ **Required**

Form of Applicant Entity	Examples of Key Personnel
Corporation/LLC	<ul style="list-style-type: none"> ✓ Each officer ✓ Each individual owning or controlling 20 percent or more of the enterprise Chief Financial Manager ✓ Project Manager ✓ Anyone else who can speak for the corporation in the management of the award or expend funds
Non-profit Organization	<ul style="list-style-type: none"> ✓ Executive Director Project Manager ✓ Chief Financial Manager

	✓ Anyone else who can speak for the organization in the management of the award or expend funds
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The Applicant must provide the name, email address and role, as well as a one-page resume for each key personnel significant to the project’s success. This should include individuals from the Applicant organization as well as any subrecipients. These resumes should identify years of experience and relevant expertise with projects of similar size, scope, and complexity. The Applicant must also identify specific prior or current projects, dates, and outcomes that showcase the management team’s track record as relevant to executing the project.

2.5 Organizational Charts

In addition, the Applicant must provide an **organizational chart** that details the structure of its organization, including any parent, subsidiary, affiliate, or partner organizations and as it relates to the Applicant’s organizational hierarchy.

Question on Organizational Readiness: Describe key factors to indicate how your organization will be prepared to implement, manage and operate a broadband service network. Describe the organization governance and management. Address how your organization will ensure that the necessary sales, operational, and billing support systems are in place to provide the proposed service (e.g., network management, provisioning, billing, customer care, etc.)

2.6 Organizational Details Narrative

The Applicant should describe the organizational mechanisms it has established to handle the implementation, management, and operation of the proposed middle mile network. This narrative should describe the experience and qualifications of key management set to undertake this project, the Applicant’s experience undertaking projects of similar size and scope, recent and upcoming organizational changes including mergers and acquisitions, and relevant organizational policies.

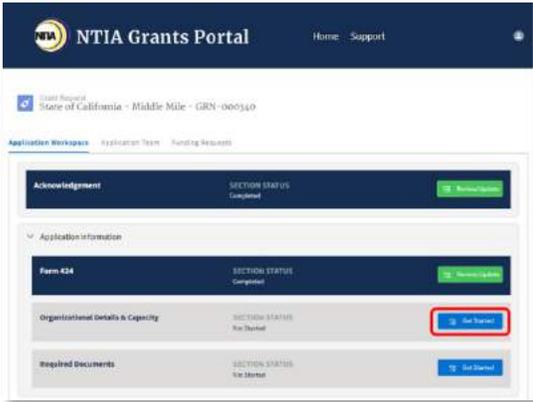
This narrative shall denote which legal entity will own the assets at the end of award period.

This response is limited to **3,000 characters**.

Note on Organizational Readiness:
Be sure to identify how key partners and key staff are aligned within the project to help ensure successful implementation and project sustainability.

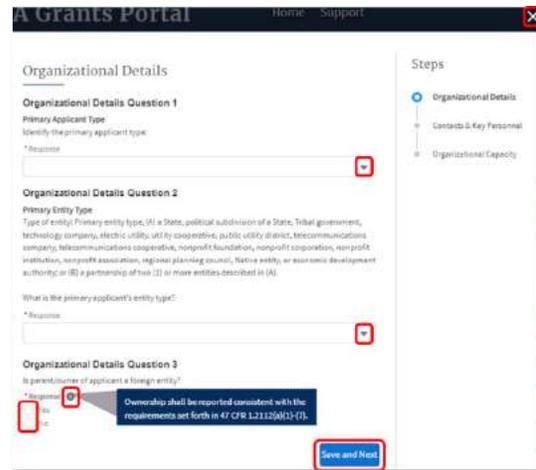
Organizational Details & Capacity Submission Instructions

Click the **Get Started** button to begin the Organizational Details & Capacity section.

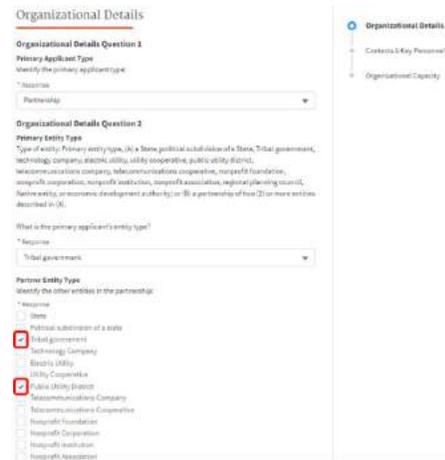


- The overall steps for completing the Organizational Details section are displayed in the sidebar to the right and serve as a visual navigation aid. Click the dropdown **arrow** to select a response to Organizational Details Questions 1 and 2. Click the **radio** button to select a response to Organizational Details Question 3.

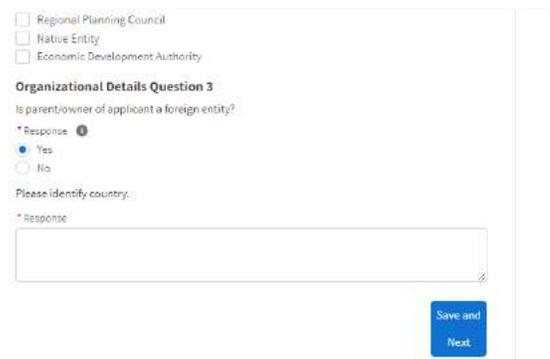
Reminder: **Help Text** is available whenever there is an icon with a small 'i' inside a gray circle; **hover** with your cursor over the icon to display the help text. A red asterisk (*) indicates that a response is required. Click the **Next** button to save your response(s) and proceed to the next step. To close the modal without saving, click the **X** in the upper right corner.



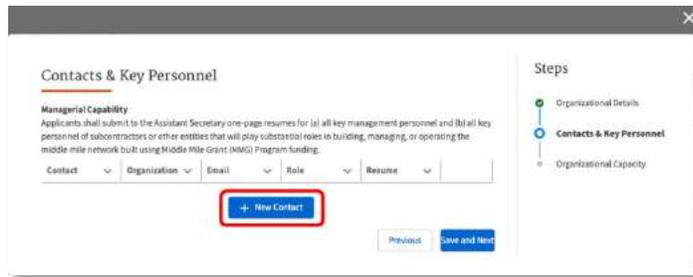
- If 'Partnership' is selected for Organizational Details Question 1, the response field for Organizational Details Question 2 expands to include the ability to select additional Partner Entity Type(s). Click the **checkbox** to select partner entity type(s).



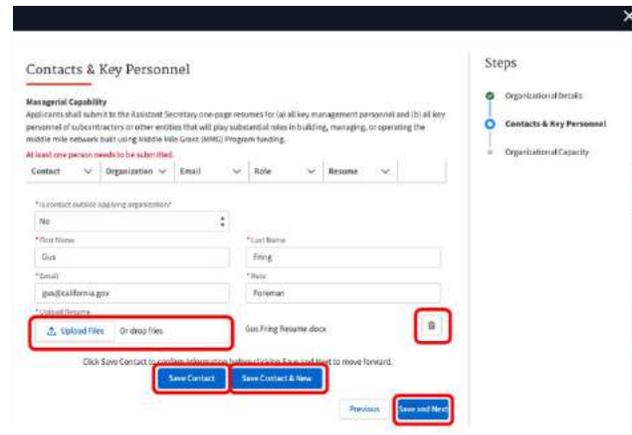
- If you select 'Yes' for Organizational Details Question 3, enter the name of the country in the text field provided.



- To add contacts and key personnel, click the **+ New Contact** button and proceed to the next instruction, or click the **Save and Next** button to proceed to the next step. Click the **Previous** button to go back to the previous step. To close the modal without saving, click the **X** in the upper right corner.



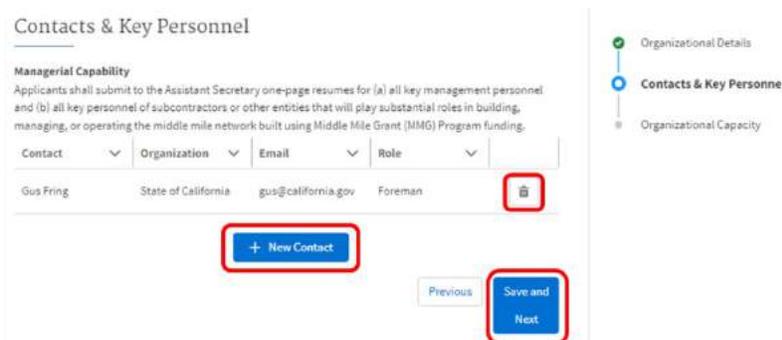
- Using the fields provided, enter the contact information. To upload a resume, click the **Upload Files** icon, or drag and drop files in the space provided. To **delete** a resume, click the delete button. A red asterisk (*) indicates that a field is required.



Click the **Save Contact** button to confirm the information entered and save the contact, or click the **Save Contact & New** button to confirm the information entered, save the contact, and enter a new contact.

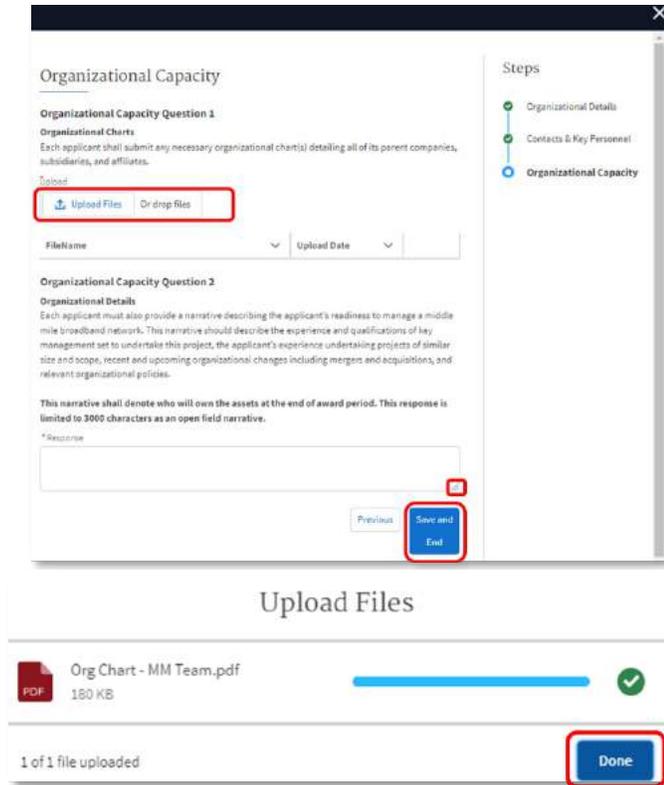
- After confirming the contact information, a list of contact(s) and contact information is created. To remove a contact, click the **delete** button. To add additional contacts, click the **+ New Contact** button and follow the preceding instructions.

Click the **Save and Next** button to proceed to the next step, Organizational Capacity. Click the **Previous** button to go back to the previous step.

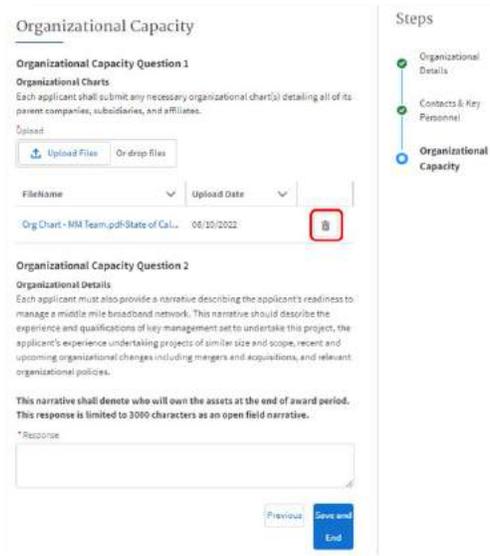


- Enter Organizational Capacity information. To upload Organizational Charts documentation, click the **Upload Files** button, or drag and drop files into the space provided, then click the **Done** button. To expand the narrative text field, click and hold the lower right corner of the text box, then drag. A red asterisk (*) indicates that a response is required. Click the **Save and End** button.

Note: It is recommended to compose narrative responses separately, then copy and paste into the narrative text fields. Save and archive narrative responses for record keeping purposes.



- To remove documentation, click the **delete** button.



3.0 Required Documents

3.1 Form CD-511- Certification Regarding Lobbying

All Applicants for federal financial assistance must certify that federal funds have not been used and will not be used for lobbying in connection with this request for federal financial assistance (Form CD-511). The Applicant will be asked to upload a Form CD-511.

3.2 Standard Form- LLL- Disclosure of Lobbying Activities

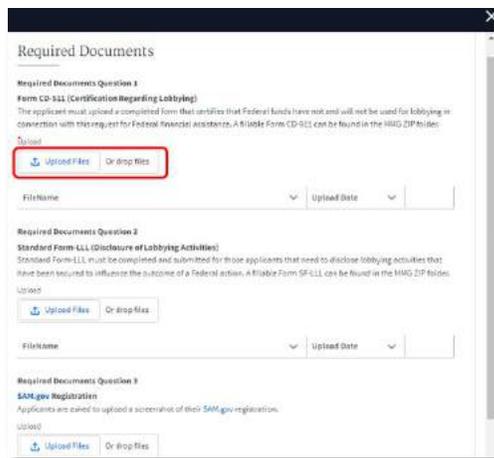
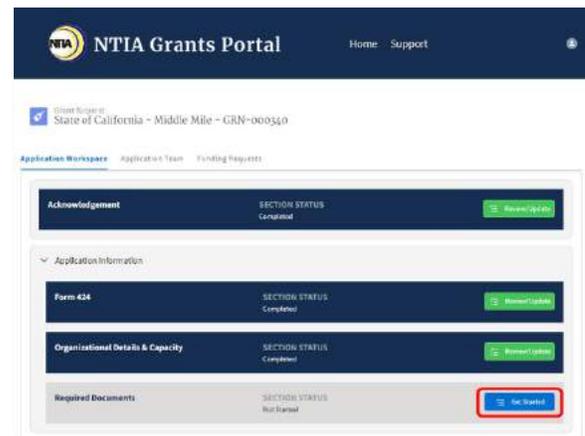
The Standard Form-LLL is used by Applicants to disclose lobbying activities that have been secured to influence the outcome of a Federal action. The Applicant will be asked to upload a Standard Form-LLL, if applicable.

3.3 SAM.gov Registration

Please note that a federal assistance award cannot be issued if the designated recipient's registration in SAM.gov is not current at the time of the award. This upload is not required, though it is encouraged.

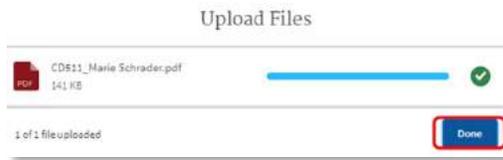
Required Documents Submission Instructions

1. Click the **Get Started** button to begin the Required Documents section.



2. Click the **Upload Files** button to select the file to upload or drag and drop the file into the file upload space provided. A red asterisk (*) indicates that a document is required.

Note: For the SAM.gov Registration document, a screenshot of the holder's SAM.gov registration information page is sufficient.

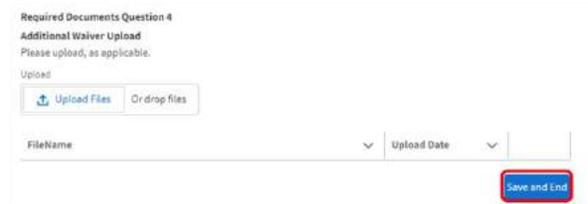


3. Click the **Done** button.

4. When only a single document is required, the upload button will gray-out once a file has been uploaded. To remove a file and re-upload, click the **delete** icon.



5. Click the **Save and End** button to complete this step and return to the Application Workspace.



PROJECT INFORMATION

Project Information

1.0 Project Details

1.1 Executive Summary Required

Applicants should provide a clear and compelling description of the project and a justification for why the Application should be selected for funding. The reviewers will read this section for a high-level, but comprehensive, introduction to the project. Applicants should be clear about the project's purpose and benefits—discussing, for example, how the project will advance the objectives of the MMG Program as well as specific objectives outlined in the NOFO, an overview of the proposed route or service area(s), including information regarding rurality and socio-economic indicators in the area to be served by the proposed project; and a description of need in the proposed service area(s), including communities considered unserved and/or underserved in the proposed service area(s). The summary should avoid highly technical terminology or jargon unless it is integral to the understanding of the proposal. NTIA suggests that the summary be written last, after the Applicant has completed all other sections of the application. Applicants with involvement from multiple organizations and key partners (subrecipients) should describe those relationships broadly here.

For this summary, the Applicant may provide high-level financial figures, budgetary information, matching contribution, etc. It is important that the numbers presented in this section are consistent throughout the entire application. The Executive Summary should not introduce new information not included elsewhere in the application. The Applicant should note that NTIA will make the Executive Summary publicly available and therefore the Applicant should avoid including any confidential, proprietary, or trade secret information in this description.

This response is limited to **6,000 characters**.

1.2 Level of Need Required

Please discuss the degree of need for the proposed network in the proposed funded service area. Include discussion of the competitive landscape in the area for comparable services to those to be offered by the proposed network, as well as any pertinent details regarding the current broadband infrastructure in the area. Describe variations among service areas if there are any. If there are existing service providers already present in all or part of the area, explain what needs the existing services are failing to meet that the proposed project will address (*i.e.* what value-add the proposed network will provide). Applicants may also wish to discuss the proportion of the proposed funded service area that qualifies as unserved or underserved, as well as the general economic conditions in the proposed funded service area.

The Applicant should provide the most complete picture it can of the existing state of broadband infrastructure in the proposed area, the reasons why the existing infrastructure is insufficient to meet the needs of the communities in that area, and, particularly in cases where the project will not leverage existing infrastructure or existing rights-of-way, why the proposed network is the most efficient means to address the unmet needs of the area.

Discuss the extent to which the proposed project will comprehensively meet, whether directly or indirectly, all broadband needs of the communities within the project area. Ideally this should include consideration of residential and business services, support for community anchor institutions in the area, and access, transport, and wholesale services for other broadband service providers.

This might include:

- Applicant's ability to demonstrate likelihood of material reduction in end-user broadband prices resulting from funded middle mile infrastructure (e.g., by demonstrating decline in middle mile costs that are likely to flow through to consumer broadband prices).
- Applicant's ability to demonstrate likelihood of material reduction in latency experienced by end users in remote or insular areas (e.g., Hawaii and Pacific Ocean territories) resulting from funded middle mile infrastructure.
- Applicant's ability to demonstrate that substantial benefits stemming from funded middle mile infrastructure will accrue to (1) high-poverty counties,¹ (2) persistent poverty counties,² and/or (3) a substantial number of end users/households that meet any of the following criteria:
 - Household income for the most recently completed calendar year was at or below 200 percent of the Federal Poverty Guidelines;
 - Any member of the household participates in Tribal specific assistance programs, such as Bureau of Indian Affairs General Assistance, Tribal TANF, or Food Distribution Program on Indian Reservations;
 - Any member of the household participates in the National School Lunch Program or the School Breakfast Program, including through the USDA Community Eligibility Provision;
 - Any member of the household received a Federal Pell Grant during the current award year; or
 - The household meets the eligibility criteria for a participating provider's existing low-income internet program.
- Applicant's ability to demonstrate that substantial benefits stemming from funded middle mile infrastructure will accrue to (1) previously unserved locations, and/or (2) Tribal Lands.
- Applicant's ability to demonstrate that the route of the proposed middle mile infrastructure is designed to enable connection of unserved anchor institutions, including Tribal anchor institutions.
- Applicant's ability to demonstrate compliance with requirements set forth in Sections III.H, III.I, III.J, and III.L related to Fair Labor Practices, Highly Skilled Workforce, Advancing Equitable Workforce Development and Job Quality Objectives, and Civil Rights and Non-Discrimination Law Compliance.
- Applicant's ability to demonstrate the climate resilience of the project in accordance with Section III.K.
- Applicant's proposed use of community benefit agreements.

¹ For the purposes of this requirement, high poverty areas are 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 (as determined under Section 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2)) is higher than the national percentage of such individuals.

² For the purposes of this requirement, persistent poverty counties are counties that have had poverty rates of 20% or greater for at least 30 years as calculated by the Economic Research Service in the Department of Agriculture.

The Applicant should note any specific service providers that have expressed an interest in utilizing the network to provide last mile service specifying the level of interest, (e.g., letter of commitment, agreements, or contracts). The Applicant should provide an estimated number of expected users of the proposed middle mile facilities and the basis for these end-user projections (e.g., letters of intent, agreements, or contracts.)

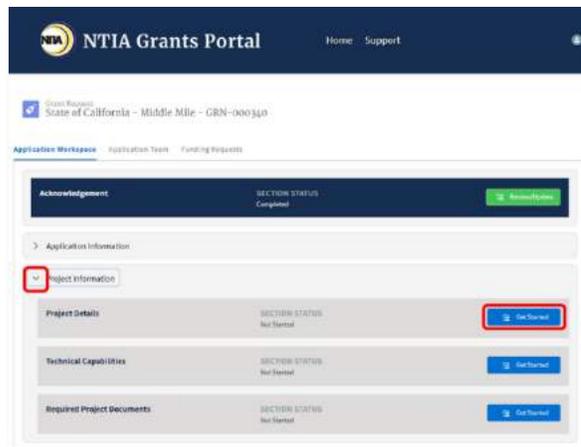
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1.3 State Coordination

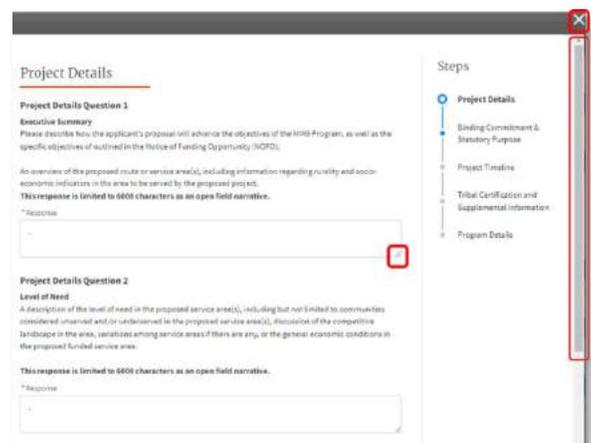
NTIA strongly encourages entities that are contemplating submission of an application and are not States to coordinate and consult with the State’s Broadband Office or other coordinating body associated with the jurisdiction in which the eligible entity proposes to deploy middle mile infrastructure to ensure that the proposal is consistent with a State’s broadband plan and priorities.

Executive Summary and Level of Need Submission Instructions

1. Click the **Get Started** button to begin the Project Details section.



2. The overall steps for completing the Project Details section are displayed in the sidebar to the right and serve as a visual navigation aid. Enter a response in the narrative text fields provided. For Project Details Questions 1 and 2, the narrative text fields are limited to 6000 characters. For Project Details Question 4, the narrative text field is limited to 3000 characters. To expand the narrative text field, click and hold the lower right **corner** of the text box, then drag. A red asterisk (*) indicates a required response.



3. Use the **scrollbar** to the right to scroll up and down the modal. To close the modal without saving, click the **X** in the upper right corner. Click the **Save and Next** button to proceed to the Prioritization & Statutory Purpose step.

Note: It is recommended to compose narrative responses separately, then copy and paste into the narrative text fields. Save and archive narrative responses for record keeping purposes.

1.4 Government and Community Involvement Required

All Applicants are asked to describe coordination with applicable State, Territory, Tribal, and local governments, including their awareness and any potential impact to the service area. Additionally, Applicants are asked about involvement and coordination with community organizations in the service area.

The Applicant should describe all local community participation in the proposed project. Please identify organizations from the public, non-profit, and private sectors, with particular attention to community anchor institutions, that will be involved in the project. The Applicant should also outline each organization's planned role in the project and any financial or equipment contributions. Please clarify any potential benefits that the community participants will receive from the project (e.g., free or discounted access to dark fiber). Also discuss the project's general approach to involving local communities in the project area. It is encouraged that the Applicant submit documentation, such as letters of support, from each of the organizations that will be involved in the project as a community stakeholder.

This response is limited to **3,000 characters**.

1.5 Prioritization

As directed by Section 60401(e) of the Act, each Applicant must make a binding commitment to prioritize at least one of the following via the funded middle mile network:

- 1.5.1. Check yes/no: Connecting middle mile infrastructure to last mile networks that provide or plan to provide broadband service to households in unserved areas;
- 1.5.2. Check yes/no: Connecting non-contiguous trust lands; or
 - 1.5.2.1. Please describe in **1,000 characters**
- 1.5.3. Check yes/no: The offering of wholesale broadband service at reasonable rates on a carrier-neutral basis.

1.6 Statutory Purpose

As directed by Section 60401(d)(2) of the Act, each Applicant must attest and demonstrate that it will meet at least two of the following five criteria:

- 1.6.1. Check yes/no: The eligible entity adopts fiscally sustainable middle mile strategies.³ This strategy will be described in the **Budget Narrative**.
- 1.6.2. Check yes/no: The eligible entity commits to offering non-discriminatory interconnect to terrestrial and wireless last mile broadband providers and any other party making a bona fide request. This policy will be described in the **Interconnect Policy**.
- 1.6.3. Check yes/no: The eligible entity identifies specific terrestrial and wireless last mile broadband providers that have (i) expressed written interest in interconnecting with middle mile infrastructure planned to be deployed by the eligible entity; and ii) demonstrated

³ In particular, Applicants should submit with their application financial studies, analyses, or other materials demonstrating that reasonably anticipated revenues associated with middle mile projects that are constructed, improved, or acquired using MMG Program funds will be sufficient to allow long-term provision of service in light of reasonably anticipated costs. The required documentation includes organizational historical financials, audited financials, pro-forma financial projections and analysis to substantiate the sustainability of the proposed project, and submission of a letter of credit valued at no less than 25 percent of the requested award amount.

sustainable business plans or adequate funding sources with respect such interconnection. This may be demonstrated in the **Level of Need Narrative**.

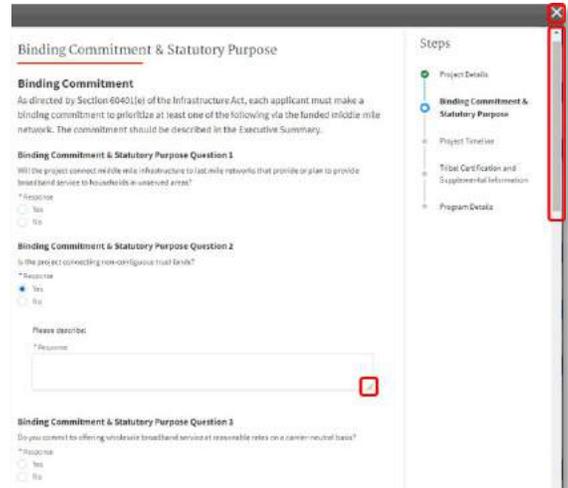
1.6.4. Check yes/no: The eligible entity has identified supplemental investments or in-kind support (such as waived franchise or permitting fees) that will accelerate the completion of the planned project. Such acceleration may be described in the **Project Timeline Narrative**.

1.6.5. Check yes/no: The eligible entity has demonstrated that the middle mile infrastructure will benefit national security interests of the United States and the Department of Defense. The benefits may be explained in the **Benefitting National Security Interests Narrative**.

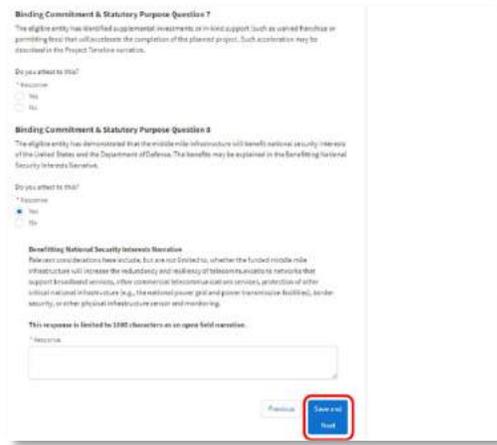
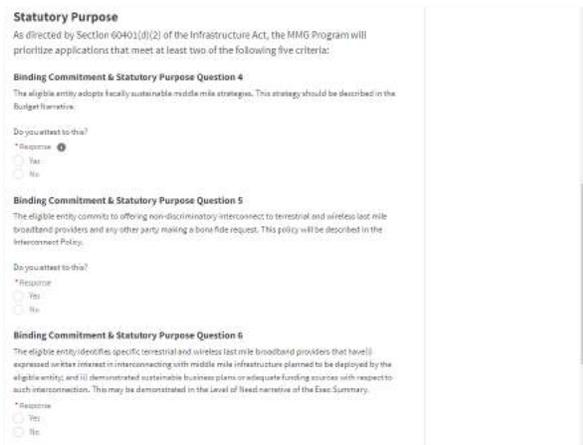
Binding Commitment and Statutory Purpose Submission Instructions

Click the **radio** button to select a response to Binding Commitment and Statutory Purpose Questions 1 through 8. If you selected 'Yes' for Questions 2 and 8, use the text field provided to enter a response; for Question 8, the narrative text field is limited to 1000 characters. To expand the narrative text field, click and hold the lower right **corner** of the text box, then drag. A red asterisk (*) indicates a required response.

Use the **scrollbar** to the right to scroll up and down the modal. To close the modal without saving, click the X in the upper right corner. Click the **Save and Next** button to proceed to the Project Timeline step. Click the **Previous** button to go back to the previous step.



Note: It is recommended to compose narrative responses separately, then copy and paste into the narrative text fields. Save and archive narrative responses for record keeping purposes.



1.7 Benefitting National Security Interests

Relevant considerations here include, but are not limited to, whether the funded middle mile infrastructure will increase the redundancy and resiliency of telecommunications networks that support broadband services, other commercial telecommunications services, protection of other critical national infrastructure (e.g., the national power grid and power transmission facilities), border security, or other physical infrastructure sensor and monitoring.

This response is limited to **1,000 characters**.

1.8 Project Timeline

1.8.1 Number of Years

Applicants will be provided a drop-down ability to select an anticipated project completion of 1, 2, 3, 4 or 5 years.

1.9 Timeline Narrative Required

The narrative requires the Applicant to describe a project with critical path, including key milestones for implementation of the project, preparations, and risk factors; and a capital investment schedule evidencing that the Applicant will complete build-out and the initiation of service within five years of the date on which the entity receives the grant and will meet interim buildout requirements set forth herein and in any other binding document.

Eligible entities that receive a middle mile grant shall demonstrate to the satisfaction of the Assistant Secretary that they have completed the buildout of 40 percent of project miles by the end of the second year after the award date, 60 percent of project miles by the end of the third year, 80 percent of project miles by the end of the fourth year, and 100 percent of project miles by the end of the fifth year. For the sake of clarity, the project must be completed, lit, and operating no later than five years after the date of the award.

If the project is able to be accelerated with supplemental investments or in-kind support to meet a statutory purpose, this should be explained.

The Applicant will demonstrate completion objectives. The Applicant should consider such project areas as: a) network design; b) securing all relevant licenses and agreements; c) site preparation; d) inside plant deployment; e) outside plant deployment; f) deployment of business and operational support systems; g) network testing; and f) network operational.

This response is limited to **3,000 characters**.

1.10 Timeline Extension

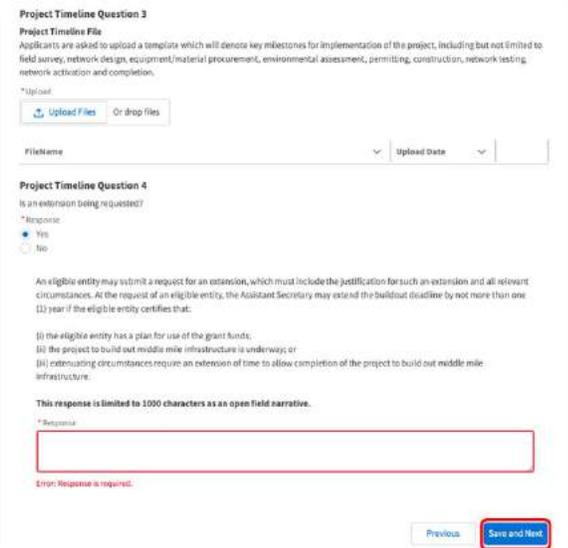
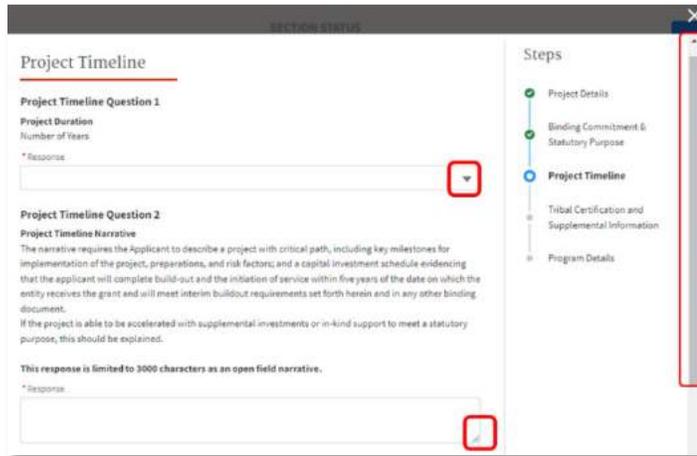
An eligible entity may submit a request for an extension, which must include the justification for such an extension and all relevant circumstances. At the request of an eligible entity, the Assistant Secretary may extend the buildout deadline by not more than one (1) year if the eligible entity certifies that:

- (i) the eligible entity has a plan for use of the grant funds;
- (ii) the project to build out middle mile infrastructure is underway; or
- (iii) extenuating circumstances require an extension of time to allow completion of the project to build out middle mile infrastructure.

This response is limited to **1,000 characters**.

Project Timeline Submission Instructions

Click the down **arrow** to select a response to Project Timeline Question 1, number of years. Enter a response to Project Timeline Question 2 in the narrative text field provided; the narrative text field is limited to 3000 characters. Upload a copy of your project plan file under Project Timeline Question 3. Click the **radio** button to select a response to Project Timeline Question 4; if you select 'Yes', enter a response in the narrative text field provided; the narrative text field is limited to 1000 characters. To expand the narrative text field, click and hold the lower right **corner** of the text box, then drag. A red asterisk (*) indicates a required response.



Use the **scrollbar** to the right to scroll up and down the modal. To close the modal without saving, click the **X** in the upper right corner. Click the **Save and Next** button to proceed to the Tribal Certification and Supplemental Information step. Click the **Previous** button to go back to the previous step.

Note: If the number of years of a project timeline ranges between a whole integer, it is recommended to round up. And it is recommended to compose narrative responses separately, then copy and paste into the narrative text fields. Save and archive narrative responses for record keeping purposes.

1.11 Tribal Governments and Native Entities

The Infrastructure Investment and Jobs Act permits the Assistant Secretary, in consultation with Tribal governments and Native entities, to waive, or specify alternative requirements, in connection with most directives governing the MMG Program if the Assistant Secretary finds that waiver or modification of the requirement is necessary for (a) the effective delivery and administration of middle mile grants to Tribal governments or (b) the construction, improvement, or acquisition of middle mile infrastructure on trust land.

If a waiver or alternative requirements are requested, the Applicant should upload the document making this request.

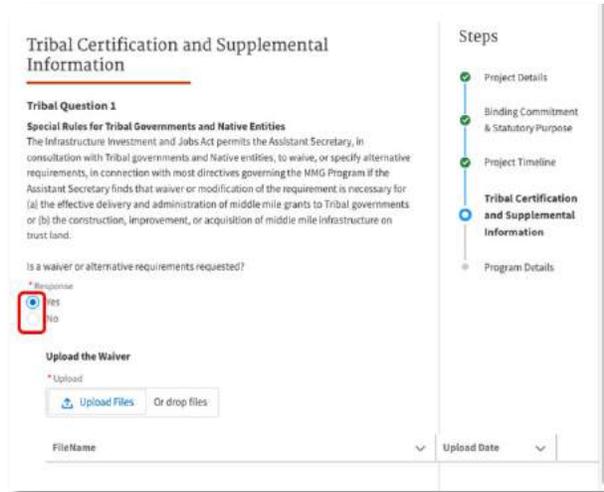
Additionally, a Tribal Government may certify whether an area within its own Tribal Land is unserved or underserved based on criteria of its choosing. Any such Tribal Government must certify that the areas where middle mile service is proposed (including any such areas where a provider offers, or has

proposed to offer, last-mile service) are unserved or underserved and provide a statement on Tribal Letterhead explaining how the determination that the area is unserved or underserved was made and additional supporting information if available.

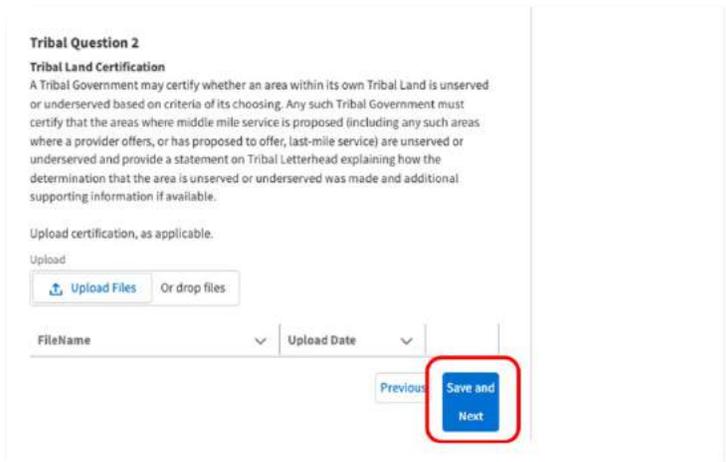
This certification should be uploaded, as applicable.

Tribal Certification and Supplemental Information Submission Instructions

1. Click the **radio** button to select a response to Tribal Question 1. If this question does not apply to your organization, select 'No'. If you select 'Yes', the section will expand to upload a waiver document. Click the **Upload Files** button, or drag and drop the file into the space provided. To remove a file, click the **delete** icon. A red asterisk (*) indicates that a document is required.



2. Click the **Save and Next** button to proceed to the Program Details step. Click the **Previous** button to go back to the previous step.



1.12 Program Details

1.12.1 Fair Labor Practices ⚠ Required

Applicants must have a demonstrated record of and plans to be in compliance with federal labor and employment laws. This will help ensure that projects are carried out in accordance with the law, assist NTIA in ensuring that a prospective awardee is capable of carrying out activities funded by an award in a competent manner in compliance with all applicable federal, state, and local laws; and promote the effective and efficient completion of high-quality middle mile broadband infrastructure projects by ensuring a reliable supply of skilled workers and minimizing disruptive and costly delays. In order for NTIA to evaluate an Applicant's demonstrated record of and plans to be in compliance with federal labor and employment laws, each Applicant must provide the information described in III.H in the NOFO. Examples

of such items include:

- a. A description of how it will incorporate strong labor standards, including but not limited to: incorporating local project labor agreements and community benefit agreements (and respecting any such agreements already in place), offering wages at or above the prevailing wage, and adhering to local hiring provisions.
- b. A description of how it will ensure that its work provides “quality” jobs, as defined by the Economic Development Administration’s Good Jobs Challenge.⁴
- c. A description of any prior legal determination by any court, administrative body, or other adjudicator that the Applicant has failed to satisfy governing wage or labor mandates.
- d. A description of how, if at all, it expects to rely on subcontracting arrangements in completing the project.

This response is limited to **3,000 characters**.

1.12.2 Highly Skilled Workforce Required

To ensure that Applicants have the technical and operational capacity to carry out the project, Applicants must submit a plan for ensuring that the project workforce will be an appropriately skilled and credentialed workforce (including by the Applicant and each of its contractors and subcontractors). The plan for a highly skilled workforce should include the information described in III.I in the NOFO.

This response is limited to **3,000 characters**.

1.12.3 Advancing Workforce Development Objectives Required

A skilled workforce is critical to meeting infrastructure buildout timelines under the Infrastructure Act and connecting households across the country to reliable, affordable, high-speed broadband. A well-trained workforce will also allow for the safe deployment of sustainable networks. To meet the workforce needs of the MMG Program, Applicants must make appropriate investments to develop a skilled, diverse workforce. Each Applicant must provide as part of its application examples of items described below:

- Outreach to, and recruitment of, populations that have traditionally been underrepresented in broadband and information technology jobs, including but not limited to women, persons of color, persons with disabilities, and persons for whom English is not a first language.
- Awardees also must abide by the requirements set out in 2 C.F.R. § 200.321, which requires non-federal recipients of federal grants to “take all necessary affirmative steps to assure that minority businesses, women’s business enterprises, and labor surplus area firms are used when possible,” and details specific affirmative steps that must be taken.
- NTIA further directs awardees to implement strategies to ensure that populations facing structural barriers to participation in the labor market – including persons with disabilities, disconnected youth, individuals in recovery, individuals with past criminal records (including justice-impacted and reentry participants), those participating in the Supplemental Nutrition Assistance Program (SNAP), Temporary Assistance for Needy Families (TANF), and Women, Infants and Children

⁴ A “quality job” is defined as a job that (1) 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 (2) helps the employee develop the skills and experiences necessary to advance along a career path. See generally <https://eda.gov/files/arpa/webinars/Good-Jobs-webinar-slides.pdf>

(WIC), and veterans and military spouses – have full and reasonable access to the job opportunities created by funded middle mile projects.

This response is limited to **3,000 characters**.

1.12.4 Climate Resiliency Required

Please demonstrate that the Applicant has sufficiently accounted for current and future weather- and climate-related risks to new MMG Program infrastructure projects. In particular, each Applicant should clearly demonstrate how they address the known and identifiable risks of current and future projected weather and climate conditions through measures such as (but not necessarily limited to) choice of a technology platform suitable to the climate risks of the region, reliance on alternative siting of facilities (e.g., underground construction where appropriate), retrofitting or hardening of existing assets, and use of network redundancy to safeguard against threats to infrastructure. In particular, each Applicant should clearly demonstrate, at a minimum, that it is conducting each of the following:

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

This response is limited to **3,000 characters**.

1.12.5 Civil Rights and Nondiscrimination Law Compliance

Prior to distributing any MMG Program funding to a prospective awardee, NTIA will require the prospective awardee to agree, by contract or other binding commitment, to abide by the non-discrimination requirements set forth below:

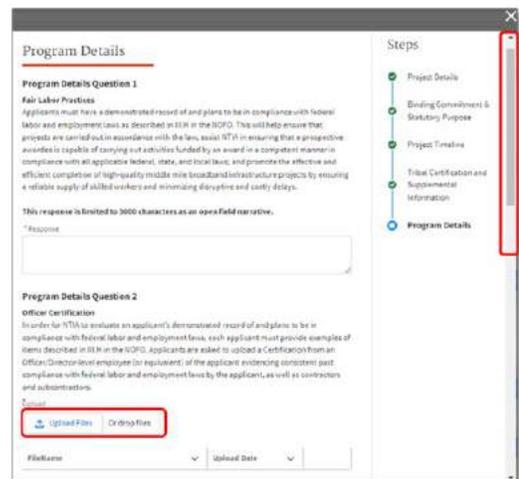
- a. Title VI of the Civil Rights Act of 1964 (42 U.S.C. §§ 2000d et seq.) and the Department of Commerce's implementing regulations, published at 15 C.F.R. Part 8, which prohibit discrimination on the grounds of race, color, or national origin under programs or activities receiving Federal financial assistance;
- b. Title IX of the Education Amendments of 1972 (20 U.S.C. §§ 1681 et seq.) which prohibits discrimination on the basis of sex under Federally assisted education programs or activities;
- c. The Americans with Disabilities Act of 1990 (42 U.S.C. §§ 12101 et seq.) which prohibits discrimination on the basis of disability under programs, activities, and services provided or made available by State and local governments or instrumentalities or agencies thereto, as well as public or private entities that provide public transportation;
- d. Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794), and Department of Commerce implementing regulations published at 15 C.F.R. Part 8b, which prohibit discrimination on the basis of handicap under any program or activity receiving or benefiting from Federal assistance;

- e. The Age Discrimination Act of 1975, as amended (42 U.S.C. §§ 6101 et seq.), and Department of Commerce implementing regulations published at 15 C.F.R. Part 20, which prohibit discrimination on the basis of age in programs or activities receiving Federal financial assistance;
- f. Title VII of the Civil Rights Act of 1964, 42 U.S.C. §§ 2000e et seq., which provides that it is an unlawful employment practice for an employer to discharge any individual or otherwise to discriminate against an individual with respect to compensation, terms, conditions, or privileges of employment because of such individual's race, color, religion, sex, or national origin. Note in this regard that Title VII, 42 U.S.C. § 2000e-1(a), expressly exempts from the prohibition against discrimination based on religion "a religious corporation, association, educational institution, or society with respect to the employment of individuals of a particular religion to perform work connected with the carrying on by such corporation, association, educational institution, or society of its activities"; and
- g. Any other applicable non-discrimination law(s).

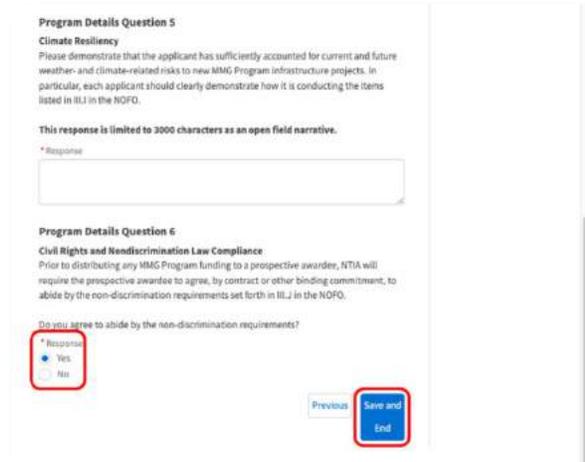
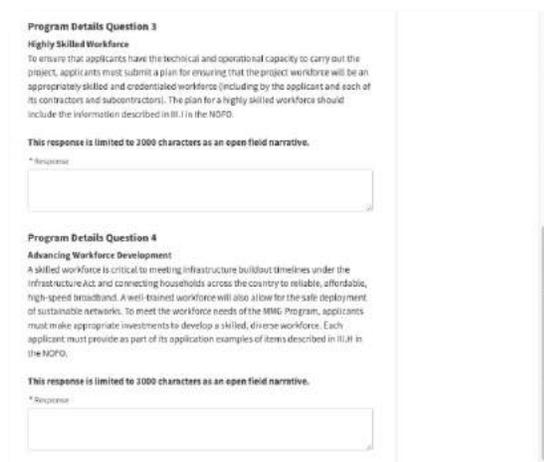
Program Details Submission Instructions

Enter a response in the narrative text fields provided; for Program Details Question 1, and for Program Details Questions 3 through 5, the narrative text field is limited to 3000 characters. To expand the narrative text field, click and hold the lower right **corner** of the text box, then drag. For Program Details Question 2, click the **Upload** button, or drag and drop the file into the space provided. To remove a file, click the **delete** icon. A red asterisk (*) indicates a required response.

Use the **scrollbar** to the right to scroll up and down the modal. To close the modal without saving, click the **X** in the upper right corner. Click the **Save and End** button to proceed to the Program Details step.



Note: It is recommended to compose narrative responses separately, then copy and paste into the narrative text fields. Save and archive narrative responses for record keeping purposes.



2.0 Technical Capabilities

2.1 Certificate of Technical Capability Required

Each Applicant must provide a certification attesting that it is technically qualified to complete and operate the proposed project.

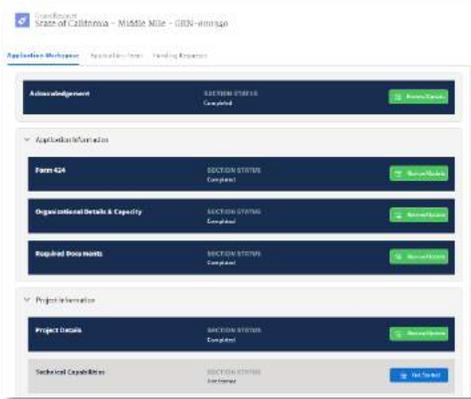
2.2 Technical Overview Required

Please describe targeted last mile service objectives, including last mile service provider letters of commitment, agreements, or contracts; and a description of the proposed service offerings, including the pricing of the services to be offered over the proposed facility. Finally, as directed by Section 60401(e)(3)(A) of the Infrastructure Act, each applicant (*i.e.*, eligible entity) must certify that the proposed project will, upon completion, be capable of supporting retail broadband service.

Note: Applicants are encouraged to upload supplemental documentation.

This response is limited to **3,000 characters**.

Technical Capabilities Submission Instructions

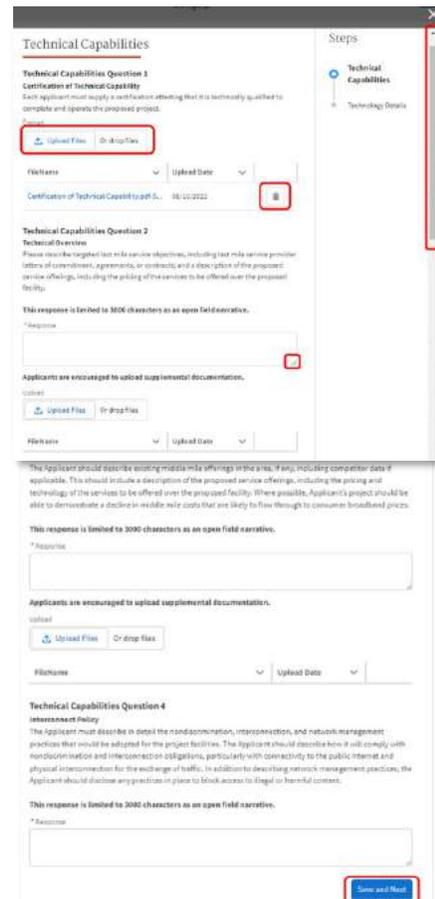


1. Click the **Get Started** button to begin the Technical Capabilities section.

2. The overall steps for completing the Technical Capabilities section are displayed in the sidebar to the right, and serve as a visual navigation aid. For Technical Capabilities Question 1, click the **Upload** button, or drag and drop the required file into the space provided. To remove a file, click the **delete** icon. Enter a response in the narrative text fields provided; for Technical Capabilities Questions 2 through 4, the narrative text field is limited to 3000 characters. To expand the narrative text field, click and hold the lower right **corner** of the text box, then drag. A red asterisk (*) indicates a required response.

Use the **scrollbar** to the right to scroll up and down the modal. To close the modal without saving, click the **X** in the upper right corner. Click the **Save and Next** button to proceed to the Technology Details step.

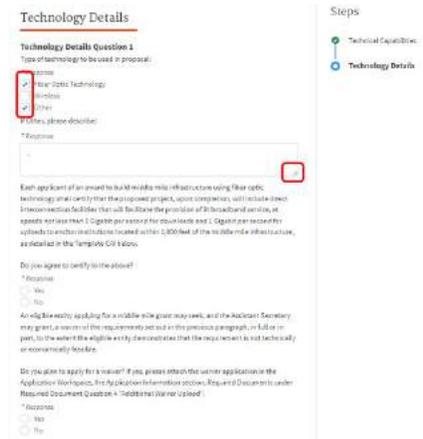
Note: It is recommended to compose narrative responses separately, then copy and paste into the narrative text fields. Save and archive narrative



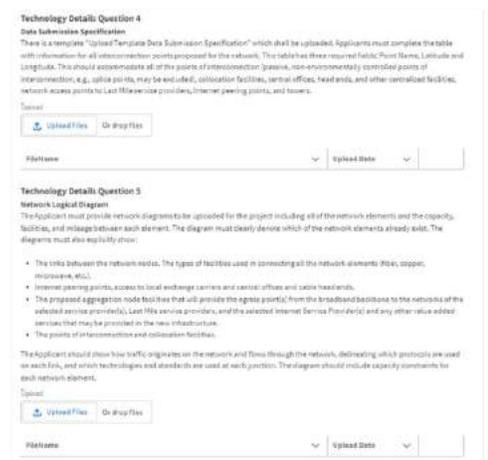
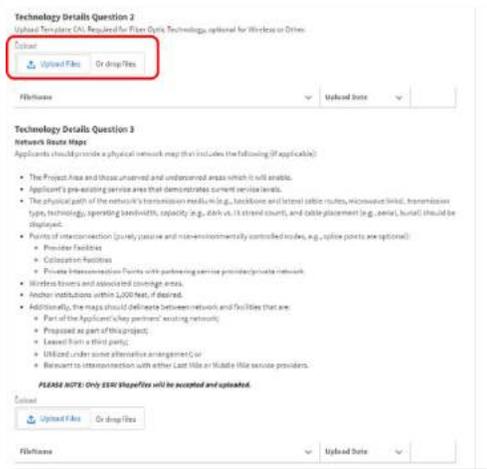
responses for record keeping purposes.

Technology Details Submission Instructions

- For Technology Details Question 1, click the **checkbox(es)** to select the type(s) of technology. If 'Fiber Optic Technology' is selected, click the **radio** button to select a response to the expanded section; click the **Upload** button to upload the Template CAI document. If 'Other' is selected, enter a response in the text field provided.



- For Technology Details Questions 2 through 5, click the **Upload** button to upload the required documentation, or drag and drop files into the space provided. For Technology Details Questions 2 and 4, the upload button will gray-out once a file has been uploaded. To remove a file and re-upload, click the **delete** icon. For Technology Details Question 3, only **ESRI Shapefiles** will be accepted and uploaded.



- For Technology Details Question 6, the narrative text field is limited to 6000 characters. To expand the response field or the narrative text field, click and hold the lower right **corner** of the text box, then drag. A red asterisk (*) indicates a required response.

Use the **scrollbar** to the right to scroll up and down the modal. To close the modal without saving, click the **X** in the upper right corner. Click the **Save and End** button to return to the Application Workspace.

Note: It is recommended to compose narrative responses separately, then copy and paste into the narrative text fields. Save and archive narrative responses for record keeping purposes.

Technology Details Question 6

Environmental Narrative

Any project-related activity that may adversely affect the environment must not be undertaken prior to the completion of the environmental review process prescribed by NTIA. Doing so may jeopardize consideration of the application.

All Applicants for MMG projects must comply with the National Environmental Policy Act, the National Historic Preservation Act, and the Endangered Species Act, and other applicable environmental regulations.

Please provide a service-area environmental description that describes the physical project area and its surroundings (e.g., disturbed or developed land vs. open space; adjacent natural resources, such as rivers, wetlands, or forestlands; and any protected lands or resources in or near the project area), including site photographs and aerial photographs (e.g., Google Earth or Google Maps images), if the project includes construction and/or ground disturbing activities.

This response is limited to 6000 characters as an open field narrative with image files to be uploaded.

* Response

Upload Map Images:

Upload

Upload Files Or drop files

FileName	Upload Date
Map Image.pdf-State of California-GRN-000396	06/10/2022

Previous Save and End

2.3 Competitive Landscape ⚠ Required

The Applicant should describe existing middle mile offerings in the area, if any, including competitor data if applicable. This should include a description of the proposed service offerings, including the pricing and technology of the services to be offered over the proposed facility. Where possible, Applicant's project should be able to demonstrate a decline in middle mile costs that are likely to flow through to consumer broadband prices.

Applicants are encouraged to upload supplemental documentation.

This response is limited to **3,000 characters**.

2.4 Interconnect Policy ⚠ Required

Question on Description of Network Openness: Please explain how the proposed project will be consistent with the NOFO's nondiscrimination and network interconnection obligations. In addition, describe the nondiscrimination, interconnection, and network management practices that would be adopted if you were awarded MMG funds.

The Applicant must describe in detail the nondiscrimination, interconnection, and network management practices that will be adopted for the project facilities. The Applicant should describe how it will comply with nondiscrimination and interconnection obligations, particularly with connectivity to the public Internet and physical interconnection for the exchange of traffic. In addition to describing network management practices, the Applicant should disclose any practices in place to block access to illegal or harmful content.

These nondiscrimination and interconnection requirements apply to components of projects that are funded by MMG. These obligations apply to the grantee, and do not apply to any existing network arrangements or to non-awardees using the network. However, the grantee may negotiate contractual covenants with broadband service providers to deploy or operate the network facilities and pass these conditions through to them. In any case, the grantee must have in place safeguards to ensure that the network nondiscrimination and interconnection obligations are met. The Applicant will include the URL to the publicly available interconnection policy and verify that such policy is to be offered in perpetuity.

This response is limited to **3,000 characters**.

2.5 Type of Technology

Question: Indicate the technology that will be used to deliver broadband services (check all that apply).
Choices include:

- Fiber Optic Technology Wireless Other

2.5.2.1 Community Anchor Institution

Each Applicant of an award to build middle mile infrastructure using fiber optic technology shall certify that the proposed project, upon completion, will include direct interconnection facilities that will facilitate the provision of lit broadband service, at speeds not less than 1 Gigabit per second for downloads and 1 Gigabit per second for uploads to anchor institutions located within 1,000 feet of the middle mile infrastructure.

The CAI template requests the community anchor institution name, street address, city and state for all such facilities which are within 1,000 feet of the proposed middle mile infrastructure.

A waiver may be requested to the extent the eligible entity demonstrates that the requirement is not technically or economically feasible.

Finally, if a wireless or other technology type is proposed, the Applicant may OPTIONALLY certify that the proposed project, upon completion, will include direct interconnection facilities that will facilitate the provision of lit broadband service, at speeds not less than 1 Gigabit per second for downloads and 1 Gigabit per second for uploads to anchor institutions located within 1,000 feet of the middle mile infrastructure.

The Applicant may use the CAI template in this case where the technology is not fiber optic.

2.6 Network Route Maps Required

Applicants should provide a physical network map that includes the following (if applicable):

- The Project Area and those unserved and underserved areas which it will enable.
- Applicant's pre-existing service area that demonstrates current service levels.
- The physical path of the network's transmission medium (e.g., backbone and lateral cable routes, microwave links), transmission type, technology, operating bandwidth, capacity (e.g., dark vs. lit strand count), and cable placement (e.g., aerial, buried) should be displayed.
- Points of interconnection (purely passive and non-environmentally controlled nodes, e.g., splice points are optional):
 - Provider Facilities
 - Collocation Facilities
 - Internet Exchange Points/Network Access Points
 - Carrier Hotels
 - Private Interconnection Points with partnering service provider/private network
- Wireless towers
- Anchor institutions within 1,000 feet, if desired.

Additionally, the maps should delineate between network and facilities that are:

1. Part of the Applicant's/key partners' existing network;
2. Proposed as part of this project;
3. Leased from a third party;
4. Utilized under some alternative arrangement; or
5. Relevant to interconnection with either Last Mile or Middle Mile service providers.

PLEASE NOTE: Only ESRI Shapefiles will be accepted.

2.7 Data Submission Specification Required

Additionally, there is a template “Upload Template Data Submission Specification.” Applicants must complete the table with information for all interconnection points proposed for the network. This table has three required fields: Point Name, Latitude and Longitude. This should accommodate all of the points of interconnection (passive, non-environmentally controlled points of interconnection, e.g., splice points, may be excluded), collocation facilities, central offices, head ends, and other centralized facilities, network access points to Last Mile service providers, Internet peering points, and towers.

2.8 Network Logical Diagram Required

The Applicant must provide network diagrams for the project including all of the network elements and the capacity, facilities, and mileage between each element. The diagram must clearly denote which of the network elements already exist. See examples below. The diagrams must also explicitly show:

- The links between the network nodes. The types of facilities used in connecting all the network elements (fiber, microwave, etc.).
- Internet peering points, access to local exchange carriers and central offices and cable head ends.
- The proposed aggregation node facilities that will provide the egress point(s) from the broadband backbone to the networks of the selected service provider(s), Last Mile service providers, and the selected Internet Service Provider(s) and any other value-added services that may be provided in the new infrastructure.
- The points of interconnection and collocation facilities.
- For Wireless Systems, the antennae height, proposed frequencies, and approximate coverage area for each access point.

Note on Network Diagram: Keep the following in mind while developing the Network Diagram.

- ✓ Indicate points of interconnection for third party service providers and Internet peering points.
- ✓ Show miles between points, use of existing ducts or poles/overlay versus new build, and in-ground versus aerial, and lateral versus backbone.
- ✓ Denote basic equipment types and capacity figures at key aggregation nodes.

The Applicant should show how traffic originates on the network and flows through the network, delineating which protocols are used on each link, and which technologies and standards are used at each junction. The diagram should include capacity constraints for each network element.

2.9 Environmental Narrative ⓘ Required

Any project-related activity that may adversely affect the environment must not be undertaken prior to the completion of the environmental review process prescribed by NTIA. Doing so may jeopardize consideration of the application.

All Applicants' projects must comply with the National Environmental Policy Act, the National Historic Preservation Act, and the Endangered Species Act, and other applicable environmental regulations.

This section should primarily be a physical description of the Proposed Action, including maps and photographs of the proposed area, and exclude any extended discussion of benefits. The text needs to provide the reader with a clear understanding of what activities will take place, the location and duration of those activities, and the equipment that will be used. The description should detail the physical project area and its surroundings (e.g., disturbed or developed land vs. open space; adjacent natural resources, such as rivers, wetlands, or forestlands; and any protected lands or resources in or near the project area), including site photographs and aerial photographs (e.g., Google Earth or Google Maps images), if the project includes construction and/or ground disturbing activities.

It is not sufficient to simply state the activity, such as "replace an existing utility pole." The activity needs to be described in sufficient detail so that the effects of the activity on the surrounding environment can be clearly understood. Questions need to be addressed such as: How will the existing pole be removed? How will the removed pole be managed or disposed of? What equipment will be needed to install the replacement? How long will it take to complete the replacement? Besides digging a hole, will there be any other ground disturbance associated with the replacement? This description presents the basis for understanding the potential interactions with the surrounding environment described in Section 4. Graphics, pictures, and tables can be useful visual tools in conveying the necessary understanding of what is being proposed. The Impacts of the proposed action will need to be discussed in Section 5.

Please refer to the categorical exclusion questionnaire included in the application packet to help identify environmental areas that may need to be resolved during the project. Applicants are not required to fill out and submit this as part of their application.

This response is limited to **1,000 characters**.

3.0 Required Project Documents

3.1 Negotiated Indirect Cost Rate Agreement

Negotiated Indirect Cost Rate Agreement (NICRA) is a **document published to reflect an estimate of indirect cost rate negotiated between the Federal Government and a Grantee's organization** which reflects the indirect costs (facilities and administrative costs) and fringe benefit expenses incurred by the organization. The Applicant will be asked to upload a NICRA, if applicable.

If indirect costs are included in the proposed budget, the applicant must upload a copy of the approved negotiated agreement if this rate was negotiated with a cognizant federal audit agency. If the rate was not established by a cognizant federal audit agency, provide a statement to this effect. If the successful applicant includes indirect costs in the budget and has not established an indirect cost rate with a cognizant federal audit agency, the applicant will be required to obtain such a rate in accordance with Section B.06 of the Department of Commerce Financial Assistance Standard Terms and Conditions Dated November 12, 2020. Alternatively, consistent with 2 C.F.R. § 200.414(f), applicants that do not have a current negotiated indirect cost rate may elect to charge indirect costs to an award pursuant to a de minimis rate, in which case a negotiated indirect cost rate agreement is not required. Applicants proposing a de minimis rate pursuant to 2 C.F.R. § 200.414(f) should note this election as part of the budget portion of the application.

3.2 Table of Funded Participants and Unfunded Collaborators

The Applicant must specify the roles in the project as a partner, subrecipient, match provider, or major contractor/supplier. The role of each entity must be detailed and the scope of work defined. A template has been built into the NTIA Grants Portal for completion.

A subrecipient is a party that performs work to accomplish a public purpose of a grant project. Laws, regulations, and programmatic requirements that apply to a grant recipient also apply to sub-recipients. In some cases, it may be difficult to distinguish between a contractor and a sub-recipient.

Characteristics indicative of a subrecipient:

1. The organization determines who is eligible to receive what federal financial assistance.
2. The organization has its performance measured against whether the objectives of the federal program are met.
3. The organization has responsibility for programmatic decision making.
4. The organization has responsibility for adherence to applicable federal program compliance requirements.
5. The organization uses federal funds to carry out a program of the organization as compared to providing goods or services for a program of the pass-through entity.

Characteristics indicative of a contractor:

1. The organization provides goods and services within normal business operations.
2. The organization provides similar goods or services to many different purchasers.
3. The organization operates in a competitive environment.
4. The organization provides goods and services that are ancillary to the operation of the federal program.
5. The organization is generally not subject to compliance requirements of the federal program, although it must adhere to some of the requirements as set forth in the applicable OMB circulars as related to contractors and subcontractors.

3.3 Certificate of Operational Capability

Each Applicant must supply a certification from an officer-level employee (or individual of comparable rank) attesting to the Applicant's operational capability to complete and operate the proposed project.

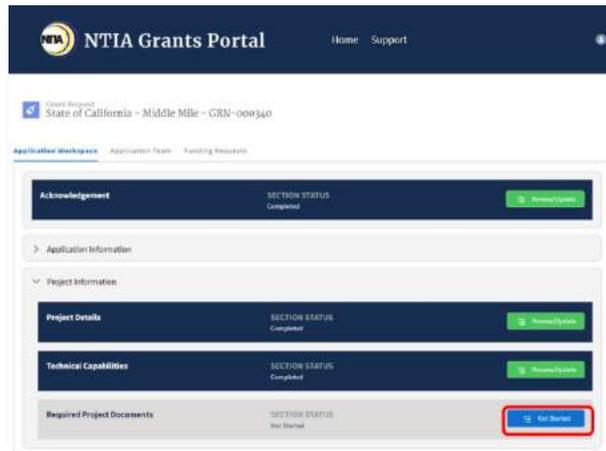
Note on Operational Capability:

If the Applicant has provided a voice and/or broadband internet access service, it must supply a certification from an officer-level employee (or individual of comparable rank) attesting that it has filed FCC Form 477s and the Broadband DATA Act submission, if applicable, to the extent required during this period and otherwise complied with the Commission's rules and regulations. Alternatively, the Applicant must explain any pending or completed enforcement action, civil litigation, or other matter in which it was alleged to have failed to comply with Commission rules or regulations.

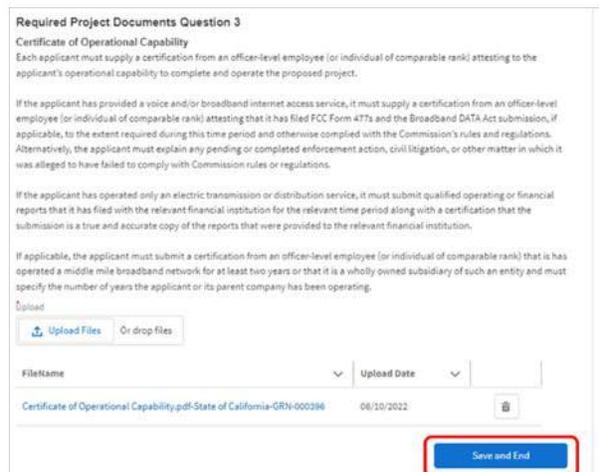
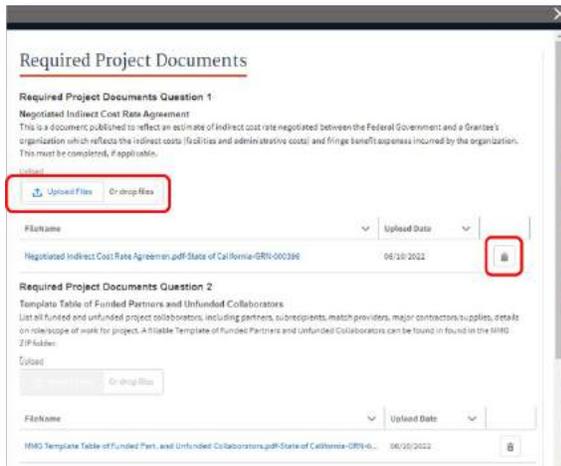
If the Applicant has operated only an electric transmission or distribution service, it must submit qualified operating or financial reports that it has filed with the relevant financial institution for the relevant period along with a certification that the submission is a true and accurate copy of the reports that were provided to the relevant financial institution.

Required Project Documents Submission Instructions

1. Click the **Get Started** button to begin the Required Project Documents section.



2. Click the **Upload** button to select the file to upload, or drag and drop the file into the file upload space provided. For Required Project Documents Question 2, the upload button will gray-out once a file has been uploaded. To remove a file and re-upload, click the **delete** icon. A red asterisk (*) indicates that a document is required. Click the **Save and End** button to complete this step and return to the Application Workspace.



BUDGET INFORMATION



Budget Information

1.0 Financial Information

1.1 Certification of Financial Capability Required

Each Applicant must supply a certification from an officer-level employee (or individual of comparable rank) attesting that it is financially qualified to meet the obligations associated with a project, that they will have available funds for all project costs that exceed the amount of the grant, and that they will comply with all MMG Program requirements, including service milestones.

1.2 Letter of Credit

Each Applicant must submit a letter from a bank that meets the eligibility requirements set forth in 47 C.F.R. § 54.804(c)(2) committing to issue an irrevocable stand-by letter of credit, in the required form, to the Applicant. The letter shall at a minimum provide the dollar amount of credit offered and the issuing bank's agreement to follow the terms and conditions of NTIA's model letter of credit. NTIA will ensure, prior to issuing a middle mile grant award, that each eligible entity obtains an acceptable, irrevocable standby letter of credit in a value of no less than 25 percent of the award amount.

Each eligible entity shall provide with its letter of credit an opinion letter from its legal counsel clearly 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 winning bidder's bankruptcy estate under section 541 of the Bankruptcy Code.

1.3 Financial Statements Required

Each Applicant shall submit financial statements from the three prior fiscal years that are audited by an independent certified public accountant. If the Applicant is not audited in the ordinary course of business, in lieu of submitting audited financial statements it must submit unaudited financial statements from the three prior fiscal years and certify that it will provide financial statements from the three prior fiscal years that are audited by an independent certified public accountant by an NTIA specified deadline.

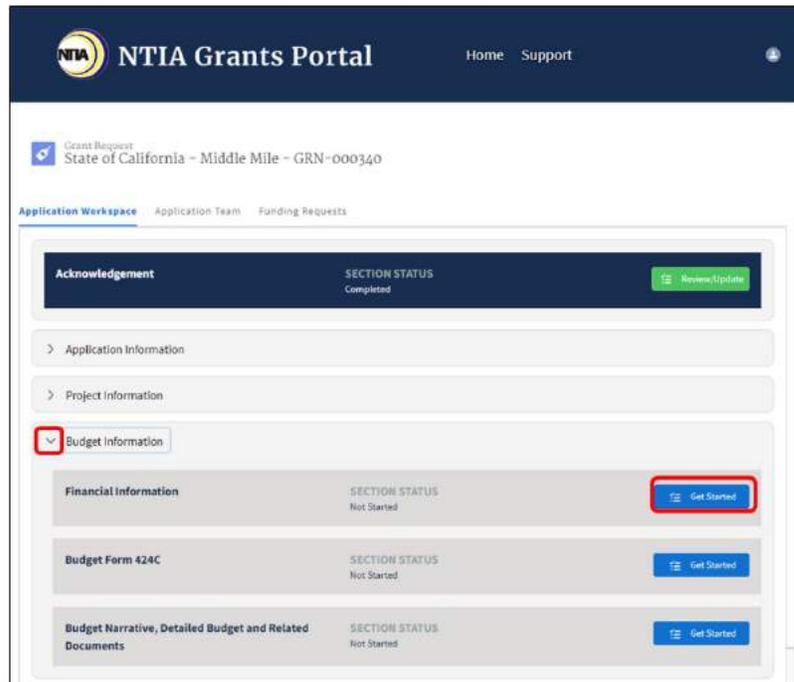
The Applicant must provide summary-level historical revenue, expenditure, and net asset financial information based on the detailed financial statements for the last three years. If the Applicant's organization was established less than three years ago, the Applicant should provide all available information. This information should be consistent with the Historical Financial Statements provided as an upload.

Note that this response requires financial data for the organization as a whole. A standard annual Income Statement, Balance Sheet, and Cash Flows based on GAAP are preferable. If the Applicant cannot readily produce this data in a standard format, it should explain why not, and provide comparable data, such as its most recent IRS Form 990 or annual audit, that provides as detailed a picture as possible of its financial history for a minimum of one year prior to submission of this application. If appropriate, the Applicant may include Notes on Financial Statements that explain costs and revenues by major categories and may make note of any abnormal or one-time charges, large liabilities or asset transactions, legal actions, or other financial events the Applicant feels require explanation. If key partners are involved in delivering programmatic benefits (e.g., operating a proposed broadband network), it is recommended that historical financial statements for the key partners be provided as well.

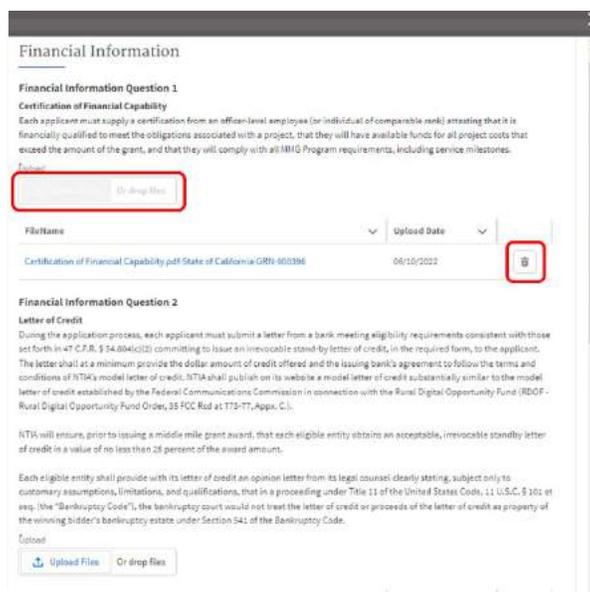
Financial Information Submission Instructions

Note: If needed, click the **arrow** to expand the Budget Information section.

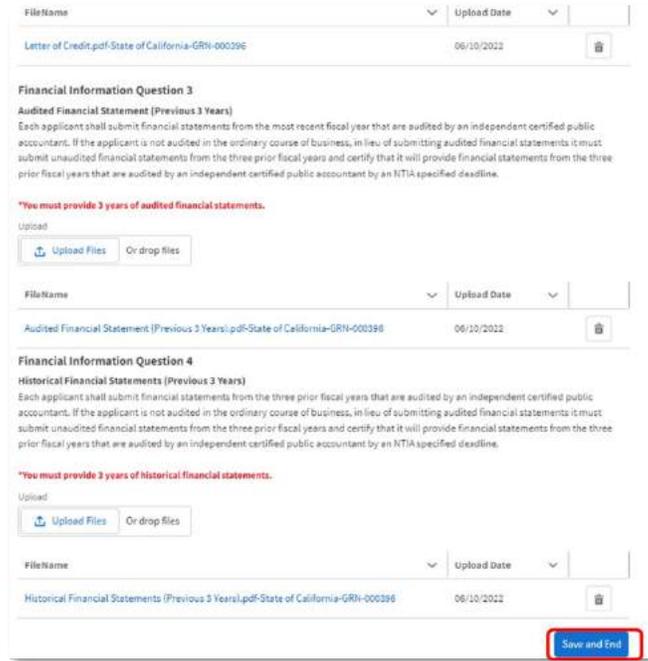
1. Click the **Get Started** button to begin the Financial Information section.



2. Click the **Upload** button to select the file to upload or drag and drop the file into the upload files space provided. When only a single document is required, the upload button will gray-out once a file has been uploaded. To remove a file and re-upload, click the **delete** icon. A red asterisk (*) indicates that a document is required.



Use the **scrollbar** to the right to scroll up and down the modal. To close the modal without saving, click the **X** in the upper right corner. Click the **Save and End** button to complete this step and return to the Application Workspace.



The screenshot shows a web interface for uploading financial statements. It features two main sections: 'Financial Information Question 3' and 'Financial Information Question 4'. Each section contains instructions, a red warning message ('*You must provide 3 years of audited financial statements.'), an 'Upload' button, and a table listing uploaded files. The 'Save and End' button is highlighted in red at the bottom right of the interface.

2.0 SF-424C Required

Applicants are required to submit a complete budget in the form of OMB Standard Form 424C – Budget Information for Construction Programs. Instructions for the OMB forms are available at http://www07.grants.gov/agencies/forms_instruction_information.jsp. Note the special guidance below for completing the SF-424C for MMG applications.

In Column (a), enter the total project cost for each line item.

In Column (b), if this is an application for a "New" project, enter that portion of the cost of each item in Column (a) that is not allowable for federal assistance. Contact the federal agency for assistance in determining the allowability of specific costs. If this application entails a change to an existing award, enter the adjustment [+ or -] to the previously approved costs (from column (a)) reflected in this application.

In Column (c), total Allowable Costs (Column (a) – (b)).

Review the instructions at the bottom of the SF-424C for further clarification on the budget categories.

Line 1. Administrative and Legal: Enter estimated amounts needed to cover administrative expenses. Do not include costs which are related to the normal functions of government. Allowable legal costs are generally only those associated with the purchases of land, which is allowable for federal participation, and certain services in support of construction of the project.

Line 2. Land, structure, rights-of-way, appraisals, etc.: Enter estimated site and right(s)-of- way acquisition costs (this includes purchase, lease, and/or easements).

Line 3. Relocation expenses and payments: Enter estimated costs related to relocation advisory assistance, replacement housing, relocation payments to displaced persons and businesses, etc.



Line 4. Architectural and engineering fees: Enter estimated basic engineering fees related to construction (this includes start-up services and preparation of project performance work plan).

Line 5. Other architectural and engineering fees: Enter estimated engineering costs, such as surveys, tests, soil borings.

Line 6. Project inspection fees: Enter estimated engineering inspection costs.

Line 7. Site work: Enter estimated costs of site preparation and restoration which are not included in the basic construction contract.

Line 8. Demolition and removal: Enter estimated demolition and removal costs.

Line 9. Construction: Enter estimated cost of the construction contract.

Line 10. Equipment: Enter estimated cost of office, shop, laboratory, safety equipment, etc. to be used at the facility, if such costs are not included in the construction contract.

Line 11. Miscellaneous: Enter estimated miscellaneous costs.

Line 12. SUBTOTAL: Total of items 1 through 11.

Line 13. Contingencies: Enter the amount.

Line 14. SUBTOTAL: Enter the total of lines 12 and 13.

Line 15. Project (program) income:

Recipients and subrecipients of Enabling Middle Mile Broadband Infrastructure Grant projects may generate and receive program income as a result of this federally funded projects. The definition of program income and guidelines for its use can be found in the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, 2 CFR 200.307.

If you anticipate program income as defined in 2 CFR 200.307, you may note the projected amounts, timeline and which method you plan to use for program income in the project income section of the budget narrative. Because the application portal form is built to only allow the deductive method to program income, you should not include it in the cost category subtotal or total project costs in any of the application budget documents including the budget narrative and detailed budget justification. Program income must be reported as it is earned during the award period and utilized in one of the ways allowed by Section B.05 of the Department of Commerce Financial Assistance Standard Terms and Conditions. The budget documents would need to reflect the program income at that time and utilized as approved in advance by the awarding agency.

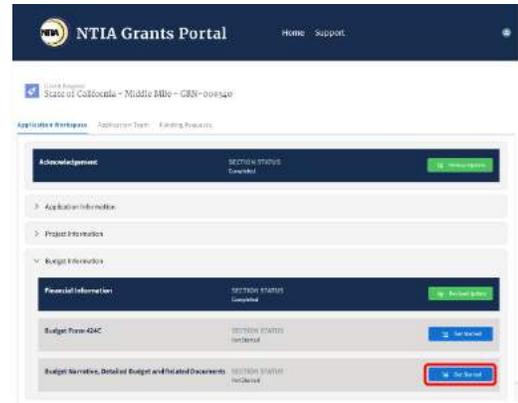
Line 16. TOTAL PROJECT COSTS: Subtract line 15 from line 14.

Line 17. Federal assistance requested: The percentage used should result in the exact dollar amount of the federal funding request and can be no more than 70 percent. For example, an Applicant proposing to contribute 33.5 percent in matching funds would use 66.5 percent in Row 17 to calculate the exact federal funding request. Note that the amount in 17c will need to be identical to the federal funding request in the General Budget Overview, the Detail of Project Costs, and tie out to the exact dollar in all relevant sections of the application.

Note that subtotals will need to be easily traceable to the line items in Column G of the Detail of Project Costs.

SF-424 C Submission Instructions

1. Click the **Get Started** button to begin the Budget Form 424C section.



2. Enter Budget Information - Construction Programs (424C) information in the fields provided. Use the **scroll bar** to scroll up and down the screen. Enter Total Federal Funds Requested into the field provided. This Amount should match field 18a from the Form 424. Click the Save button to return to the Application Workspace. Note: Budget amounts between Form 424 and Form 424C must match.

Budget Information - Construction Programs (424C)

1. Administrative and legal expenses

Total Cost: Cost Not Allowable for Participation: Total Allowable Cost:

2. Land, structures, rights-of-way, appraisals, etc.

Total Cost: Cost Not Allowable for Participation: Total Allowable Cost:

3. Relocation expenses and payments

Total Cost: Cost Not Allowable for Participation: Total Allowable Cost:

4. Architectural and engineering fees

Total Cost: Cost Not Allowable for Participation: Total Allowable Cost:

5. Other architectural and engineering fees

Total Cost: Cost Not Allowable for Participation: Total Allowable Cost:

6. Project inspection fees

Total Cost: Cost Not Allowable for Participation: Total Allowable Cost:

7. Site Work

Total Cost: Cost Not Allowable for Participation: Total Allowable Cost:

8. Demolition and removal

Total Cost: Cost Not Allowable for Participation: Total Allowable Cost:

9. Construction

Total Cost: Cost Not Allowable for Participation: Total Allowable Cost:

10. Equipment

Total Cost: Cost Not Allowable for Participation: Total Allowable Cost:

11. Miscellaneous

Total Cost: Cost Not Allowable for Participation: Total Allowable Cost:

12. SUBTOTAL (Sum of lines 1-11)

Total Cost: Cost Not Allowable for Participation: Total Allowable Cost:

13. Contingencies

Total Cost: Cost Not Allowable for Participation: Total Allowable Cost:

14. SUBTOTAL (Sum of lines 12-13)

Total Cost: Cost Not Allowable for Participation: Total Allowable Cost:

15. Project (program) income

Total Cost: Cost Not Allowable for Participation: Total Allowable Cost:

16. TOTAL PROJECT COSTS

Total Cost: Cost Not Allowable for Participation: Total Allowable Cost:

- Click the **Save** button to complete the Budget Form 424C Section and return to the Application Workspace.

- A new browser tab will open with the completed Form 424C. Click the download button or the print button in the upper right corner.

Category	Amount	Subtotal	Total
1. Construction Programs	0	0	0
2. Land Reclamation, Urban Planning, etc.	0	0	0
3. Research and Development	0	0	0
4. Other Construction Programs	0	0	0
5. Other Construction Programs	0	0	0
6. Other Construction Programs	0	0	0
7. Other Construction Programs	0	0	0
8. Other Construction Programs	0	0	0
9. Other Construction Programs	0	0	0
10. Other Construction Programs	0	0	0
11. Other Construction Programs	0	0	0
12. Other Construction Programs	0	0	0
13. Other Construction Programs	0	0	0
14. Other Construction Programs	0	0	0
15. Other Construction Programs	0	0	0
16. Other Construction Programs	0	0	0
17. Other Construction Programs	0	0	0
18. Other Construction Programs	0	0	0
19. Other Construction Programs	0	0	0
20. Other Construction Programs	0	0	0
21. Other Construction Programs	0	0	0
22. Other Construction Programs	0	0	0
23. Other Construction Programs	0	0	0
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25. Other Construction Programs	0	0	0
26. Other Construction Programs	0	0	0
27. Other Construction Programs	0	0	0
28. Other Construction Programs	0	0	0
29. Other Construction Programs	0	0	0
30. Other Construction Programs	0	0	0
31. Other Construction Programs	0	0	0
32. Other Construction Programs	0	0	0
33. Other Construction Programs	0	0	0
34. Other Construction Programs	0	0	0
35. Other Construction Programs	0	0	0
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37. Other Construction Programs	0	0	0
38. Other Construction Programs	0	0	0
39. Other Construction Programs	0	0	0
40. Other Construction Programs	0	0	0
41. Other Construction Programs	0	0	0
42. Other Construction Programs	0	0	0
43. Other Construction Programs	0	0	0
44. Other Construction Programs	0	0	0
45. Other Construction Programs	0	0	0
46. Other Construction Programs	0	0	0
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92. Other Construction Programs	0	0	0
93. Other Construction Programs	0	0	0
94. Other Construction Programs	0	0	0
95. Other Construction Programs	0	0	0
96. Other Construction Programs	0	0	0
97. Other Construction Programs	0	0	0
98. Other Construction Programs	0	0	0
99. Other Construction Programs	0	0	0
100. Other Construction Programs	0	0	0

- Return to the **Application Workspace** still open on the previous browser tab.

3.0 Budget Narrative, Detailed Budget, and Related Documents

3.1 Budget Narrative ⓘ Required

The Applicant must ensure that the total project budget information matches other budget related questions and uploads, including SF-424C and the Detailed Budget Justification.

NTIA expects to make awards under this program within the following funding range: from \$5,000,000 to \$100,000,000. This range is not a required minimum or maximum, but eligible entities requesting amounts for projects outside of this range must provide a reasonable explanation for the variance in their project size.

The Budget Narrative template requires the Applicant to provide a detailed narrative account of the project budget. The Applicant will be required to provide a narrative breakout for each SF-424C cost category as demonstrated in the following example:

Example Budget Category - \$724,134

\$100,000 of this category is estimated for legal expenses for contract reviews based on the average legal cost of (\$4) per mile for 25,000 miles.



\$134 of this category is estimated for legal court filings.

\$624,000 of this category is estimated for Project Engineering Staff, which consists of a project manager and two (2) network engineers.

Staff	Hours	Years	Rate	Total Cost
Project Manager	2080	3	\$20/hr	\$124,800
Project Engineer	2080	3	\$30/hr	\$187,200
Civil Engineer	2080	3	\$50/hr	\$312,000
TOTAL:				\$624,000

The Applicant should be sure to tie back the category totals to the SF-424C Budget and Detailed Budget, and triple-check all three of these uploads for consistency before submitting the applications.

Few indirect costs are allowable for MMG projects. Indirect costs must clearly and directly tie to the capital costs of the project and appear as a line item in the budget. Reasonable indirect costs under MMG are only allowable for contracts or full time employees (FTEs) associated with the construction, deployment, or installation of facilities or equipment used to provide broadband service. If any allowable indirect costs and/or fringe benefits are included in the budget, the Applicant should provide a copy of its existing Negotiated Indirect Cost Recovery Agreement (NICRA). Please clearly list the manner in which indirect costs are calculated in the budget.

The following information should be included in the budget narrative:

- Applicant Name
- Organization Type
- Proposed Period of Performance
- Total Project Costs
- Total Federal Grant Request
- Total Matching Funds (Cash)
- Total Matching Funds (In-Kind)
- Total Matching Funds (Cash + In-Kind)
- Total Matching Funds (Cash + In-Kind) as Percentage of Total Project Costs

The Applicant should provide the following information under the respective headers:

Administrative and legal expenses - \$xxx [Insert the total category cost]

Reasonable, post-NOFO, pre-application expenses in an amount not to exceed fifty thousand dollars (\$50,000) of grant funds received under the MMG for preparation expenses.

Examples of administrative expenses include costs attributable to: accounting, auditing, contracting, budgeting, and general legal services; facility occupancy costs (e.g., rent, utilities, insurance, taxes, and maintenance); general liability insurance that protects the organization (not directly related to a program); depreciation on buildings and equipment; general office supplies; and general and administrative salaries and wages.



Administrative and legal fees should be listed by category (e.g., rent, training, grant management, etc.), or broken down by line item as much as possible. Each line must include the total time (e.g., total number of hours), cost per unit, and the total cost for that line item. If applicable, time commitment(s) such as hours or level of effort should be provided.

Along with the calculations for each line item, Applicants must provide a description of each charge to include what it is, who will be doing it (if applicable and if known), and how it relates to the project objectives. If the Applicant will be providing a cash or in-kind match in this cost category, this must be noted and explained in the justification.

If an Applicant plans to charge indirect costs to this award, they should also be included into the Administrative and Legal Expenses line item. The detailed budget justification template and the budget narrative should clearly explain how they are being applied and to what. Additionally, if indirect costs are proposed, the Applicant must also be sure to attach a copy of their most recent negotiated indirect cost rate agreement for analysis by the NIST Grants Management Division to ensure they are applied appropriately.

If indirect costs are proposed in addition to local match/cost share, the Applicant is required to provide in their budget narrative the break-down of the federal amount and local share of indirect costs, consistent with OMB Memorandum M-22-02 to assist with government-wide reporting of indirect costs.

Sample Justification for Federally funded activities:

Activity	Total Time	Rate	Total Cost
Grant Management activities	300 hours	\$50 per hour	\$15,000
Legal Fees	60 hours	\$150 per hour	\$9,000

Example details for items above:

Grant Management Activities (\$15,000) – Staff time (exact staff TBD) to complete mandatory grant management activities such as completing reports, responding to audit requirements, conducting budgetary activities, and other activities as required by the grantor. These activities are necessary to meet the reporting and compliance requirements of the grant program. This position will be Federally funded/not match funded.

Legal Fees (\$9,000) – Development of agreements and MOUs between the various organizations involved in the grant, to include sub-grantees. Also, will conduct legal reviews for all contracts.

Land, structure, rights-of-way, appraisals, etc. - \$xxx [Insert the total category cost]

Provide a description of estimated costs, proposed activities, and any additional information. Each line item should be listed with the following information:

- ✓ Description: a description of what is needed to be purchased or the explanation of the fee/permit, etc.
- ✓ Unit basis: method for counting each item (by mile, by feet, individually, etc.)
- ✓ Unit cost: the cost for one unit (from the unit basis)
- ✓ Number of units: total number of units (from the unit basis)
- ✓ Total cost: Unit cost x number of units = total cost

Example:

Description	Unit Basis	Unit Cost	Number of Units	Total Cost
12' by 20' Utility building/hut	Each	\$40,000	12	\$480,000
Railroad crossing permit	Cost is per crossing	\$2800	10	\$28,000

Example detail:

Utility Huts (\$480,000) – One hut for each of the 12 new node sites. This price is based on a quote from Huts-Are-Us, a prefabricated telecom building manufacturer. The sites are fully functional and have a full HVAC system.

Railroad crossing permits (\$28,000) – There are 10 areas/locations where the network will have to cross under the path of a railroad. Because of this barrier, special construction fees, insurance and city taxes are required to perform the work. The cost is based on past experience of crossing under railroads in a nearby location. In order to complete the project successfully, the network must cross the railroads and cannot go around them.

Relocation expenses and payment - \$xxx [Insert the total category cost]

Applicants must provide an explanation for the relocation, description of the items involved in relocation, methods used to calculate the costs, and any additional information to describe the costs around relocation.

Each line item should be listed with the following information:

- ✓ Description: a description of the items to be relocated or the payments for relocation
- ✓ Unit basis: method for counting each item (by unit, individually, etc.)
- ✓ Unit cost: the cost for one unit (from the unit basis)
- ✓ Number of units: total number of units (from the unit basis)
- ✓ Total cost: unit cost x number of units = total cost

Example:

Description	Unit Basis	Unit Cost	Number of Units	Total Cost
Moving/relocating NOC to a new building	Each	\$50,000	1	\$50,000

Example detail:

Relocation of NOC (\$50,000) – Relocation of network operations center (NOC) from an old building at A location to a new building at B location. The old building will be demolished, and it is necessary to keep this NOC for project activities. Cost estimate provided by a local vendor. Cost is inclusive of the trucks to move the equipment from one location to the other, fuel for the trucks, and staff time to do the moving.

Architectural and engineering fees - \$xxx [Insert the total category cost]

Provide a description of estimated fees, an explanation of proposed services, and additional information as needed. Engineering and network design costs should be included in this section.

Each fee should be listed individually with the following information:

- ✓ Description: a description of the fee
- ✓ Unit basis: method for counting each fee (hourly, flat fee, annual fee, etc.)
- ✓ Unit cost: the cost for one unit (from the unit basis)
- ✓ Number of units: total number of units (from the unit basis)
- ✓ Total cost: unit cost x number of units = total cost

Example:

Description	Unit Basis	Unit Cost	Number of Units	Total Cost
Site Architectural Plans	Each	\$3,200	15	\$48,000
CAD Design	Cost per hour	\$75	2000	\$150,000

Example detail:

Site Architectural Plans (\$48,000) – The cost is per site improvement plans for each of the node sites, including basic node design and site plans. The costs are estimated based on industry standards for the area.

CAD Design (\$150,000) – The CAD design will be completed by a consultant using a computer-based design program in AutoCAD for the construction, permits, and cable location records. The time is estimated at 2,000 hours at \$75 an hour over the one-year period of performance. \$75 an hour is the average per hour cost for a mid-level consultant per the Department of Labor.

Other architectural and engineering fees - \$xxx [Insert the total category cost]

Provide a description of any other fees, to include architectural fees, engineering fees, town or county fees required for the project. Additional fees may include testing fees for network or equipment, or entity fees, such as field studies/field fees.

Each fee should be listed individually with the following information:

- ✓ Description: a description of the fee
- ✓ Unit basis: method for counting each fee (hourly, flat fee, annual fee, etc.)
- ✓ Unit cost: the cost for one unit (from the unit basis)
- ✓ Number of units: total number of units (from the unit basis)
- ✓ Total cost: unit cost x number of units = total cost

Example:

Description	Unit Basis	Unit Cost	Number of Units	Total Cost
Network System Testing	Each	\$40,000	12	\$480,000
Cable Testing	Cost per hour	\$125	1500	\$187,500

Example detail:

Network System Testing (\$480,000) – Overall testing of the network. Two techs for one week at each of the 12 nodes plus the NOC. Rates are industry standard for 2 people in this type of role.

Cable Testing (\$187,500) – End-to-end cable testing and troubleshooting between 12 nodes. This will be completed by two people over the period of performance, totaling \$187,500. The rate of \$125 an hour is the standard rate for this type of work in our area.

Project inspection fees - \$xxx [Insert the total category cost]

Provide a description of any project inspection fees, to include local, Tribal, or Federal fees directly related to project inspection. Administrative or filing fees should not be listed in this section, but rather should be included in the administrative or legal expenses (1) section.

Each fee should be listed individually with the following information:

- ✓ Description: a description of the fee
- ✓ Unit basis: method for counting each fee (hourly, flat fee, annual fee, etc.)
- ✓ Unit cost: the cost for one unit (from the unit basis)
- ✓ Number of units: total number of units (from the unit basis)
- ✓ Total cost: unit cost x number of units = total cost

Example:

Description	Unit Basis	Unit Cost	Number of Units	Total Cost
Quality Control inspection fees	Each	\$100	24	\$2,400

Example detail:

Quality Control inspection fees (\$2,400) – Quality control inspection fees are required to assure compliance with local regulations. Twenty-four (24) inspections over the period of performance. The billing rate is set by local governments and is completed per review.

Site work - \$xxx [Insert the total category cost]

Provide a description of any site work, site preparation, or site utility work necessary for the project. Administrative or filing fees or costs should not be listed in this section, but rather should be included in the administrative or legal expenses (1) section.

Each line item should be listed individually with the following information:

- ✓ Description: a description of the site work
- ✓ Unit basis: method for counting each item (hourly, flat fee, annual fee, etc.)
- ✓ Unit cost: the cost for one unit (from the unit basis)
- ✓ Number of units: total number of units (from the unit basis)
- ✓ Total cost: unit cost x number of units = total cost

Example:

Description	Unit Basis	Unit Cost	Number of Units	Total Cost
Fencing – 30' x 30'	Per Node	\$7,000	12	\$84,000

Example detail:

Fencing (\$84,000) – 6-foot chain link fencing with security wiring and two gates. Local contractor estimated \$7,000 per site based on previous, similar work. Each node (12) will require fencing.

Demolition and removal - \$xxx [Insert the total category cost]

Provide a description of any demolition and removal activities for the project.

Each activity should be listed individually with the following information:

- ✓ Description: a description of the demolition or removal
- ✓ Unit basis: method for counting each activity (hourly, flat fee, annual, etc.)
- ✓ Unit cost: the cost for one unit (from the unit basis)
- ✓ Number of units: total number of units (from the unit basis)
- ✓ Total cost: unit cost x number of units = total cost

Example:

Description	Unit Basis	Unit Cost	Number of Units	Total Cost
Demolition of building	Each	\$100,000	1	\$100,000

Example detail:

Demolition of building (\$100,000) – Demolition of an existing structure (office building) at location A to erect a new vendor neutral wireless tower at the same location. Demolition estimates were provided by a local vendor. Demolition includes razing the structure to the foundation and hauling away all debris for



disposal. This location was determined to be the only place in location A that would work for a tower and that is why it is necessary to remove the building, rather than put the tower at another location.

Construction - \$xxx [Insert the total category cost]

Provide a description of any construction activities for the project. Include all applicable taxes and delivery fees into the line item cost (do not have separate line items for these charges).

Each activity should be listed individually with the following information:

- ✓ Description: a description of the activity
- ✓ Unit basis: method for counting each activity (hourly, flat fee, annual, etc.)
- ✓ Unit cost: the cost for one unit (from the unit basis)
- ✓ Number of units: total number of units (from the unit basis)
- ✓ Total cost: unit cost x number of units = total cost

Example:

Description	Unit Basis	Unit Cost	Number of Units	Total Cost
Boring	Per Foot	\$5.50	111,500	\$613,250
Wireless Tower	Each	\$20,000	8	\$160,000

Example detail:

Boring (\$613,250) – Charge is per foot for an estimate of 111,500 feet. The estimated 111,500 feet is based on the number of boring locals in later cables and on a main route next to one of the nodes. Prices are from a local vendor quote.

Wireless towers (\$160,000) –Eight (8) wireless towers at \$20,000, totaling \$160,000. Each monopole tower will facilitate interconnection by last mile service providers and meet open network standards. Price is quoted by two local vendors and is average for the local area.

Equipment - \$xxx [Insert the total category cost]

Provide a description of any equipment for the project, but do not include equipment components of the network that are associated with construction activities. In your description of the equipment, include the brand or manufacturer as well as estimated price and technology specifications. Include small office machinery and other office requirements as applicable. Include all applicable taxes and delivery fees into the line-item cost (do not have separate line items for these charges).

Each activity should be listed individually with the following information:

- ✓ Description: a description of the activity
- ✓ Unit basis: method for counting each activity (hourly, flat fee, annual, etc.)
- ✓ Unit cost: the cost for one unit (from the unit basis)
- ✓ Number of units: total number of units (from the unit basis)
- ✓ Total cost: unit cost x number of units = total cost

Example:

Description	Unit Basis	Unit Cost	Number of Units	Total Cost
Laptops/GPS	Each	\$2,000	5	\$10,000
Communications Equipment	Each	\$3,800	12	\$45,600

Example detail:

Laptops/GPS (\$10,000) – Dell laptops equipped with basic office service package for the inspectors and field engineers. Purchase price is based on entity general schedule purchase agreements.

Communications Equipment (\$45,600) – Package of equipment for on-site crew and key employees. Includes a cell phone, PBX system and satellite capability. Purchase price is based on local vendor quotes.

Miscellaneous - \$xxx [Insert the total category cost]

Provide a description and breakout of any activities costs that do not fit into other cost classifications, as defined by the SF424C.

Put any costs for the planning, feasibility, or sustainability studies in this section.

Each activity should be listed individually with the following information:

- ✓ Description: a description of the activity
- ✓ Unit basis: method for counting each activity (hourly, flat fee, annual, etc.)
- ✓ Unit cost: the cost for one unit (from the unit basis)
- ✓ Number of units: total number of units (from the unit basis)
- ✓ Total cost: unit cost x number of units = total cost

Example:

Description	Unit Basis	Unit Cost	Number of Units	Total Cost
Feasibility Study for location A	Each	\$2,500	1	\$2,500

Example detail:

Feasibility Study for location A (\$2,500) – costs to complete a feasibility study for location A prior to starting any construction or demolition activities. Feasibility study is necessary to complete as the location has unusual geography and will help determine what site remediation is necessary to complete project work at the location.

Contingencies - \$xxx [Insert the total category cost]

Contingency costs are allowable but must be reasonable and consistent with the cost principles, specifically 2 CFR § 200.433. Section 200.433 describes a contingency as that part of a budget estimate of future costs (typically of large construction projects, IT systems, or other items as approved by the



Federal awarding agency) which is associated with possible events or conditions arising from causes the precise outcome of which is indeterminable at the time of estimate, and that experience shows will likely result, in aggregate, in additional costs for the approved activity or project. Amounts for major project scope changes, unforeseen risks, or extraordinary events may not be included.

An Applicant may include contingency costs (other than those expressly excluded as noted in the above paragraph) in budget estimates to the extent they are necessary to improve the precision of those estimates. Amounts must be estimated using broadly-accepted cost estimating methodologies, specified in the Budget Narrative, and accepted by NTIA. Contingencies are generally considered reasonable if they are 10-15% of total construction costs or less, otherwise the Applicant should provide justification for the higher costs.

Project (program) income - \$xxx [Insert the total category cost]

Project or program income must be reported in line with 2 CFR § 200.307.

This response is limited to **3000 characters**.

3.2 Detailed Budget Justification  **Required**

The Detailed Budget Justification requires all MMG Applicants to provide general budget information and detailed project costs. The Applicant must download the Excel file, fill in all required information, and upload the completed file to the application. The upload must be provided as an Excel file, and not converted to a PDF prior to upload. The Applicant should not alter the layout of the provided templates, except to insert additional line-items as needed.

NOTE: Tips for Completing the Budget Documentation
<u>All budget amounts must exactly match or tie out across all budget documentation.</u> For example, do not provide estimates or approximate amounts in the Budget Narrative that do not exactly match amounts the SF-424, SF-424C, and all relevant sections in the application
<u>All subtotals and totals (including line items) must be rounded to whole dollars without cents.</u> Although unit costs may include cents, once multiplied by the number of units, the result must be rounded to the nearest whole dollar. Amounts ending in \$.49 or less should be rounded <u>down</u> to the nearest whole dollar, while amounts ending in \$.50 or more should be rounded <u>up</u> to the next whole dollar. (For example, a subtotal of \$2.17 would be rounded down to \$2.00, while a subtotal of \$2.72 would be rounded up to \$3.00.) It is acceptable if .00 appears at the end of an amount; that is auto-formatted in some versions of the form
<u>All project costs should be contained in the budget documentation.</u> Subrecipient costs should be rolled up into the primary Applicant's budget documentation. Do not provide separate budgets or budget documentation for subrecipients.
<u>All direct and indirect costs will be evaluated for allowability, allocability, necessity, and reasonableness according to the relevant cost principles.</u> Only include costs that meet all of those criteria and note that additional detail or documentation may be requested.

Question on Matching Cost Detail: Please provide a detailed account of all matching costs for this project. For cash matches provide: a) the name of the party providing the match, b) the funding amount (and percentage of the total budget it represents), c) the type of funding (e.g., grant match, equity, debt, internal, other), d) the use of the funding (e.g., infrastructure), and e) any key financing terms and conditions. For in-kind matches, provide: a) the name of the party providing the match, b) the match value (and percentage of the total budget it represents), c) the nature of the in-kind contribution, d) an explanation of how the contribution qualifies as an eligible cost under MMG eligible cost rules, and e) if the contributor is not the Applicant(s), a description of any benefits the contributor will derive from the project (e.g., free or discounted access to the network).

The Applicant must describe the matching fund amounts, both cash and in-kind, and its funding sources will provide directly to the execution of this project. Applicants must provide a cost match of 30 percent or greater of the total eligible cost of a project. Applicants are strongly encouraged to obtain additional funds to apply to the project for greater consideration from all available sources, including state and local government, charitable and other non-profit grants, donations, economic development funds, and financial assistance programs.

Applicants are also encouraged to seek in-kind contributions to be used in the execution of this project. These in-kind contribution costs must be directly attributable to a budget item that Applicants have identified for executing their project and must be an eligible cost as defined in the NOFO. In-kind contributions must also be necessary to the success of the project. Such costs may be products, services, equipment, or other forms of direct assistance to the proposed project. In-kind contributions that are shared-use with other activities or projects not directly involved with this program will not be eligible for application to matching fund amounts in most cases and should be included only if Applicants can clearly demonstrate the proportion of those shared-use contributions that will apply directly to their proposed project.

NOTE: Matching Funds:
Generally, federal funds may not be used as matching funds except as provided by federal statute. (See NOFO section III.C.)

3.3 Pro Forma Projection and Analysis  *Required*

Pro forma financial projection and analysis related to the project's sustainability, inclusive of subscriber (e.g., last mile network connections, other wholesale services), across an eight-year forecast period.

The Applicant must provide the following pro-forma financial statements (on an annual basis) for an eight-year forecast. The statements should be prepared in accordance with GAAP. These statements help the Merit Reviewers and Program Officers understand the anticipated financial outcomes of the project with clarity and transparency. If the Applicant cannot readily produce these data in a standard format, it should explain why it cannot and provide comparable data.

Note: Pro Forma Forecast Guidance

The pro forma forecasts should only reflect the **project**, and not the Applicant's **organization**. Only the historical financial statements (uploaded separately) should reflect the entire organization.

Applicants should consult their accountant or financial advisor in preparing these financial statements. Any direction provided below is to ensure Applicants provides a comprehensive financial picture. The comments below do not constitute advice on how to record any particular financial transaction.

Revenues

The revenue picture should reflect all direct revenues to be generated by the project's suite of services. The Applicant should include all broadband data, video, and voice services, and any other sources of revenue (e.g., universal service fund, installation, and other ancillary services). The Applicant should organize its revenues across different classes of services (e.g., wholesale vs. retail).

Income Statement

	Forecast Period							
	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8
Revenues								
Network Services Revenues:								
Wholesale Lit Capacity	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Wholesale Transit (Paid Peering)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Wholesale Data Services (Other)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Retail Lit Capacity	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Retail Transit (Paid Peering)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Retail Data Services (Other)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Dark Fiber	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Colocation	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Installation Revenues	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Other Operating Revenues	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Other Revenues	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Uncollectible Revenues	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total Revenues	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -

Applicants should pay particular attention to the following:

Revenue Categories

Applicants may consider segmenting their revenue by either customer type and/or service type. The approach used by Applicants should enable the Merit Reviewer and Program Officer to evaluate the reasonableness of these projections. Choose an approach that enables the greatest clarity and provides a credible basis. Lean toward greater granularity.

Recording Grant Revenue

If Applicants choose to record MMG grant funding as revenue, they should record it as a separate line item and label the funds as Grant Revenue. This amount should be broken out from all other project revenues.

Revenue Assumptions

Applicants should review the discussion below on Assumptions to ensure they provide a comprehensive list of all assumptions used to derive the revenue forecast. These assumptions should encompass such factors as market size, take rates (as function of market share and adoption rate), average revenue per customer, growth rates, etc. Applicants should apply the assumptions to all targeted customer segments and should reflect the suite of services offered.

Factor	Suggestions
<p style="text-align: center;">Take Rate</p>	<ul style="list-style-type: none"> ✓ Consider rationale regarding the take rate. ✓ This number may likely vary across the eight years of the forecast period. Tie growth in take rate to awareness, productivity of sales force, and other outreach efforts. ✓ Discuss such factors as market share and adoption rates and explain basis for making a reasonable assumption. ✓ Identify churn rates and basis for calculation. ✓ Clearly delineate between existing customers and new customers each year.

Recording “Direct” Revenues Generated from Multiple Parties

A business model for an infrastructure project may involve multiple entities selling middle mile and/or last mile services. This may include the lead Applicant, as well as other project partners. The financial need and long-term sustainability of a project can only be evaluated from having the income statement reflecting all direct revenues. Direct revenues encompass any transaction directly made between the Applicant and a customer and/or project partners. Some examples follow.

Example: Public/Private Partnership

The Applicant is a non-profit agency. It develops a partnership with a for-profit network operator that obtains capacity on the Middle Mile network in exchange for making a financial match. The non-profit Applicant will be directly selling Middle Mile services to a number of anchor institutions. The network operator will directly sell services to last mile providers, businesses, and some anchor institutions. In this example, please include all revenues derived by both the non-profit Applicant AND the network operator. The project does not have to reflect the revenues generated by the last mile provider as those constitute indirect revenues. In fact, doing so would lead to double counting as those last-mile services are supported by the services already reflected in the direct revenue transaction recorded between the network operator and last mile provider.

Alternatively, the Applicant may provide an Indefeasible Right of Use (IRU) to a match contributor. The Applicant should recognize the IRU as a form of revenue or deferred revenue. Applicants should ask their accountant for advice on how to report this transaction.

Example: Government Agency

The Applicant is a government agency. It retains capacity for a number of its agencies. It also sells capacity to a private telecom services company that will then resell services. The government agency should reflect the capacity it sells to its agencies as revenue based on the specific services and associated pricing (and discounts) noted in the application. Otherwise, some fair transaction price should be noted.

Expenses

The Applicant should provide in sufficient detail **all** applicable network and non-network expenses for Years 1–8 that are necessary to support the project.

Figure 2: Expenses

Expenses										
MMG Total Project Costs from SF-424	\$	-	\$	-	\$	-	\$	-	\$	-
Spares	\$	-	\$	-	\$	-	\$	-	\$	-
Backhaul	\$	-	\$	-	\$	-	\$	-	\$	-
Network Maintenance/Monitoring	\$	-	\$	-	\$	-	\$	-	\$	-
Utilities	\$	-	\$	-	\$	-	\$	-	\$	-
Leasing	\$	-	\$	-	\$	-	\$	-	\$	-
Sales/Marketing	\$	-	\$	-	\$	-	\$	-	\$	-
Customer Care	\$	-	\$	-	\$	-	\$	-	\$	-
Billing	\$	-	\$	-	\$	-	\$	-	\$	-
Corporate G&A	\$	-	\$	-	\$	-	\$	-	\$	-
Other Operating Expense	\$	-	\$	-	\$	-	\$	-	\$	-
Total	\$	-	\$	-	\$	-	\$	-	\$	-
EBITDA	\$	-	\$	-	\$	-	\$	-	\$	-
Depreciation	\$	-	\$	-	\$	-	\$	-	\$	-
Amortization	\$	-	\$	-	\$	-	\$	-	\$	-
Earnings Before Interest and Taxes	\$	-	\$	-	\$	-	\$	-	\$	-
Interest Expense - New Debt	\$	-	\$	-	\$	-	\$	-	\$	-
Interest Expense - Existing Debt	\$	-	\$	-	\$	-	\$	-	\$	-
Interest Expense - Other	\$	-	\$	-	\$	-	\$	-	\$	-
Income Before Taxes	\$	-	\$	-	\$	-	\$	-	\$	-
Property Tax	\$	-	\$	-	\$	-	\$	-	\$	-
Income Taxes	\$	-	\$	-	\$	-	\$	-	\$	-
Net Income	\$	-	\$	-	\$	-	\$	-	\$	-

Applicants should pay particular attention to the following:

Depreciation Expense

Long-term assets purchased for the project should be depreciated over the useful life. Applicants should use a standard GAAP method to calculate depreciation expense. Along with the type of depreciation method used, Applicants should also provide the estimated useful life of the asset and any other information that would support NTIA's understanding of the depreciation schedule.

Amortization Expense

This line item should include any project specific loans or intangibles during the life of the project. Please provide all assumptions used in developing the amortization expense for any capital leases, for example.

Income Tax of Grant Revenue

Applicants should consult a tax advisor to determine if their entity would have to pay taxes on federal grant funds. If affirmative, please be sure to record these income taxes on the Income Statement.

Interest Expense

Applicants should include all interest expense specifically related to any debt incurred to support the project. Applicants should be sure to include interest expense for: 1) borrowing of new short and long-term debt to support financing of the project or 2) interest expense associated with a capital lease.

Expense Assumptions

Applicants should see the section below on preparing a detailed write-up regarding all assumptions used to derive the expense forecast.

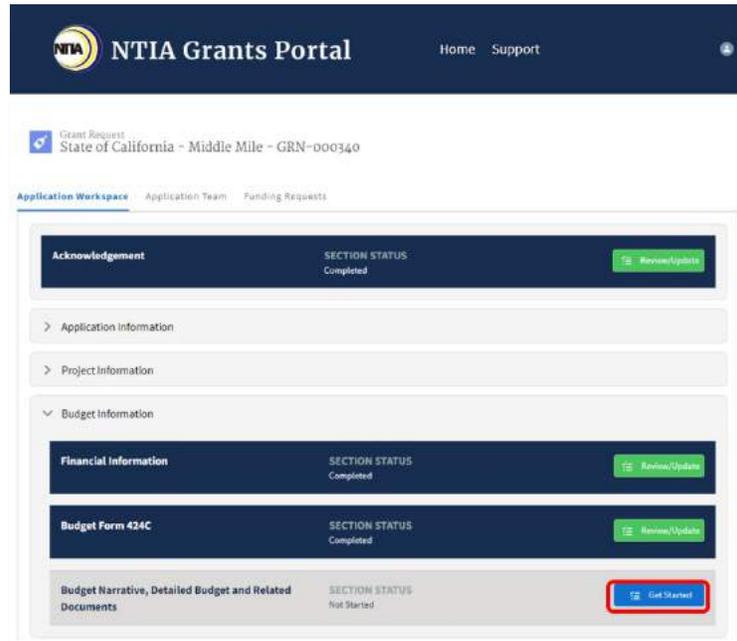
Factor	Suggestions
Backhaul Expenses	Provide method used to estimate backhaul expenses (if relevant).
Other Network Expenses	Provide basis for estimating all other network expenses, including maintenance, utilities, rental or leasing of capital assets, etc.
Capital Lease	Provide all assumptions regarding justification for capitalizing any lease. A lease must meet one of four criteria to be classified as a purchase by the lessee. Please consult an accountant.
Depreciation	Provide methodology, estimated life, and residual value so analysts can evaluate depreciation schedule.
Marketing Expenses	Provide clear rationale for estimating marketing and sales expenses. Any gross percentages based on revenue should be supported by historical indicators or industry benchmarks.
Customer Care Support & Billing	State method used to determine all customer care and billing expenses. Identify all system requirements and required back-office staff.
General and Administrative Costs (G&A)	Identify all G&A costs. These include costs that cannot be attributed to a specific business activity. These can include salaries that cannot be capitalized, professional services, insurance, office supplies, utilities not related to capital assets, travel, etc. Any gross percentages based on revenue should be supported by historical indicators or industry benchmarks.
Interest Expense	Provide schedule that shows all debt instruments and associated interest rates.
Taxes	Provide justification for all income tax rates. Identify any other taxes for the project. Explain whether there will be a federal tax on the grant award.

3.4 Additional Funding

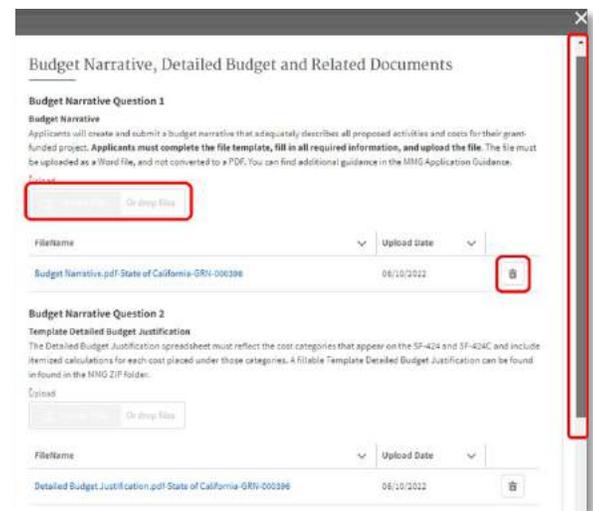
If there are other sources of federal broadband deployment funding which have been or shall be received by the Applicant, please describe in this narrative.

Budget Narrative, Detailed Budget, and Related Documents Submission Instructions

1. Click the **Get Started** button to begin the Budget Narrative, Detailed Budget and Related Documents section.



2. Click the **Upload** button to select the file to upload or drag and drop the file into the upload files space provided. When only a single document is required, the upload button will gray-out once a file has been uploaded. To remove a file and re-upload, click the **delete** icon. If you select 'Yes' for Budget Narrative Question 4, the section will expand to enter a response in the text field provided. To expand the narrative text field, click and hold the lower right corner of the text box, then drag. A red asterisk (*) indicates that a document is required.



3. Use the **scrollbar** to the right to scroll up and down the modal. To close the modal without saving, click the **X** in the upper right corner. Click the **Save and End** button to complete this step and return to the Application Workspace.

Budget Narrative Question 3

Template Pro Forma

Pro forma financial projection and analysis related to the project's sustainability, inclusive of subscriber (e.g., last mile network connections, other wholesale services), across an eight-year forecast period. A fillable Template Pro Forms can be found in the MMG ZIP folder:

Upload

[Upload Files](#) Or drop files

FileName	Upload Date
----------	-------------

Budget Narrative Question 4

Any other funding provided for this project?

Response

Yes

No

Please describe.

* Response

[Save and End](#)

Note: It is recommended to compose narrative responses separately, then copy and paste into the narrative text fields. Save and archive narrative responses for record keeping purposes.

SUBMIT AND ATTESTATION

Submit and Attestation

Once the Applicant has completed its application, it is advised to proofread the materials submitted and verify the consistency of data provided in more than one location (particularly with respect to the project budget). Then the Applicant should go to the Review and Submit page. There the Applicant will see a list of all of the submission validation requirements. The Applicant will be unable to submit its application until all of the validation requirements have been satisfied. If any sections are marked incomplete, the Applicant will need to revisit that section to provide additional information or make corrections. Once all validation requirements have been satisfied, the Applicant may submit its application by clicking the Submit button. Once the application has been submitted, it is presumed that the application is final, and the Applicant will no longer be able to make changes to the application.

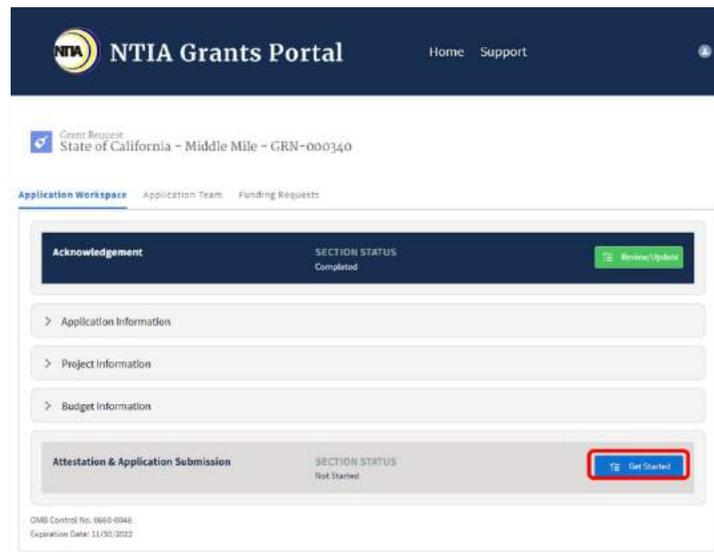
By submitting this application, the Applicant certifies that the information and responses in the application are material representations of fact and are true and correct.

1.0 Submit and Attestation Submission Instructions

Important: Only users with the Authorized Organizational Representative (AOR) role (and respective log-in credentials) designated in the Form 424 Section on the form SF-424 may submit the application on behalf of the organization. The Attestation & Application Submission section is not accessible to other team member roles. The AOR must complete the Attestation & Application Submission section.

Recommendation to the AOR: At the time of final attestation and submission, you have the ability to close access to the application for other **Application Team** members by opening the Application Team tab and changing their status to Former. If edits or application updates need to be made by a team member, change their status back temporarily to Current. Refer to the Application Team Tab instructions above.

1. Click the **Get Started** button to begin the Attestation & Application Submission section.

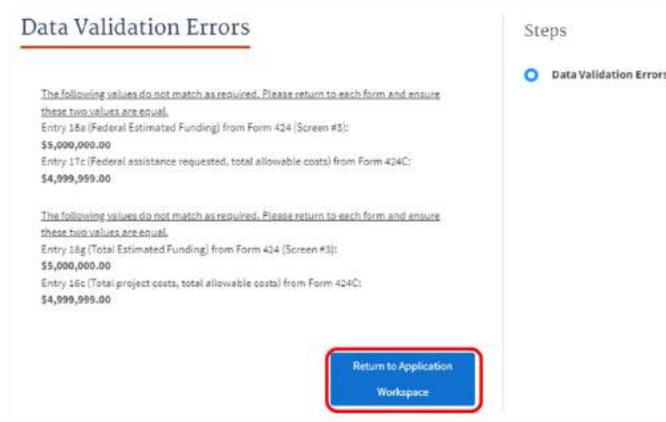


The screenshot displays the NTIA Grants Portal interface. At the top, the NTIA logo and 'NTIA Grants Portal' are visible, along with 'Home' and 'Support' links. Below the header, the current grant request is identified as 'State of California - Middle Mile - GRN-000340'. The main content area is divided into sections: 'Acknowledgement' (Status: Completed, with a 'Review/Update' button), 'Application Information', 'Project Information', and 'Budget Information'. The 'Attestation & Application Submission' section is highlighted with a red box around its 'Get Started' button, indicating it is the next step. At the bottom, OMB Control No. 0980-0048 and Expiration Date: 11/30/2022 are noted.

2. If there is a mismatch between the values in the following fields in Form 424 and Form 424C, a 'Data Validation Errors' screen will appear:

- Form 424 18a must match Form 424C 17c
- Form 424 18g must match Form 424C 16c

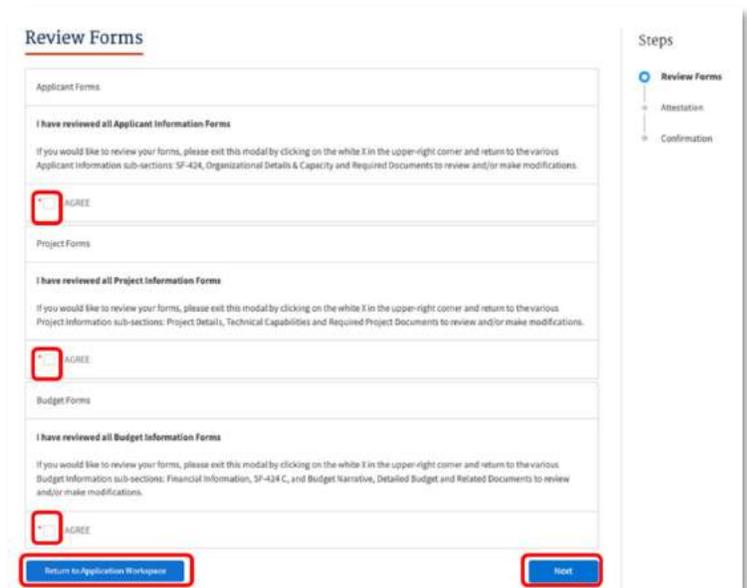
To correct the error, click the **Return to Application Workspace**, then return to the Form 424 Section and, or the Budget Form 424C Section.



3. The AOR is responsible for reviewing all Applicant Information Forms, Project Information Forms, and Budget Information Forms before final submission. If further review, download or changes are needed, exit this modal by clicking the **Return to Application Workspace** button, then return to the corresponding section(s) in the Application Workspace. At each file upload, you can click the url to view and download the file that was previously uploaded. You can also delete a file previously uploaded using the delete icon and upload a new document or, if more than one file is allowed, upload an additional document(s) and keep the existing file(s).

4. Click the **'I AGREE'** checkbox under each section to affirm you have reviewed and approve of all the documents uploaded for the application.

5. Click the **Next** button to get to the Attestation step.



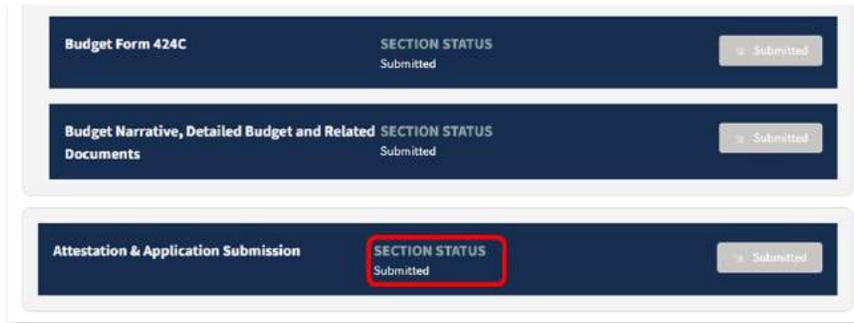
- Upon providing attestation for final submission, click the required **checkbox** next to "I AGREE", then click the **Submit** button.

- A pdf version of Form 424 with the AOR attested signature and date at the bottom of the form will open in a separate tab. Click the download button or the print button in the upper right corner to save a copy of the pdf for your records.

- Click the **End** button to confirm the attestation step.

Important: Once the AOR confirms submission by clicking End, the application submission process has completed, and the application records will be locked and awaiting review by NTIA.

9. Upon confirming attestation, you will be returned to the Application Workspace where each section status is now locked and marked as **Submitted**.



10. A confirmation email will be sent from the Portal system.



You have successfully completed your application for the Middle Mile Grant Program. Please reach out to MM@NTIA.gov for Middle Mile programmatic inquiries. Please reach out to NGPhelpdesk@ntia.gov if you have any outstanding technical questions or need additional guidance on submitting your application.



Middle Mile Grant Program Application Templates

These materials have been compiled to support your work in completing the **Application for NTIA's Middle Mile Grant (MMG) program**.¹ All materials must be submitted through the NTIA Grants Portal (<https://grants.ntia.gov>), however Eligible Entities are encouraged to use these forms and templates to prepare their submissions to NTIA. Note that some forms and templates will be uploaded directly in the original file format to the NTIA Grants Portal (NGP) and others will be directly entered into the NGP. For additional information, please see the MMG [Notice of Funding Opportunity \(NOFO\)](#).

Middle Mile Application Materials

Applicant Information

1. **SF-424**
 - 1.1. **SF 424 (Application for Federal Assistance) – Inputted into NTIA Grants Portal**

This form will be filled out directly in the NTIA Grants Portal. You can find a copy of this form in the MMG Zip folder and instructions for completing the SF 424 can be found in the MMG Application Guidance. Applicants are encouraged to complete this form as a DRAFT prior to inputting the form contents in the NTIA Grants Portal.
2. **Organizational Details & Capacity**
 - 2.1. Type of entity: “(A) a State, political subdivision of a State, Tribal government, technology company, electric utility, utility cooperative, public utility district, telecommunications company, telecommunications cooperative, nonprofit foundation, nonprofit corporation, nonprofit institution, nonprofit association, regional planning council, Native entity, or economic development authority; or (B) a partnership of two (2) or more entities described in (A).”²
 - 2.2. Identify “Primary Applicant”
 - 2.2.1. If individual entity, default as primary
 - 2.2.2. If partnership, identify the other entities in the partnership and specify which entity is primary
 - 2.3. **Applicant will check Y/N:** Is parent/owner of applicant a foreign entity?³ If yes, please identify country.
 - 2.4. **Managerial Capability – Uploaded by Applicant**

Applicants shall submit to the Assistant Secretary one-page resumes for (a) all key management personnel and (b) all key personnel of subcontractors or other entities

¹ Paperwork Reduction Act (PRA) approved by Office of Management and Budget (OMB) No. 0660-0046, Exp. Date Nov. 30, 2022.

² See MMG NOFO at Sec. I.B.4 (May 13, 2022), available at <https://broadbandusa.ntia.doc.gov/resources/grant-programs/enabling-middle-mile-broadband-infrastructure-program>.

³ Ownership shall be reported consistent with the requirements set forth in 47 CFR 1.2112(a)(1)-(7).

that will play substantial roles in building, managing, or operating the middle mile network built using Middle Mile Grant (MMG) Program funding.

2.5. Organizational Charts – Uploaded by Applicant

Each applicant shall submit any necessary organizational chart(s) detailing all of its parent companies, subsidiaries, and affiliates.

2.6. Open Field: 500 Word Organizational Details Narrative – Inputted into NTIA Grants Portal

Each applicant must also provide a narrative describing the applicant's readiness to manage a middle mile broadband network. This narrative should describe the experience and qualifications of key management set to undertake this project, the applicant's experience undertaking projects of similar size and scope, recent and upcoming organizational changes including mergers and acquisitions, and relevant organizational policies.

This narrative shall denote who will own the assets at the end of award period.

3. Required Documents

3.1. Form CD-511 (Certification Regarding Lobbying) – Uploaded by Applicant (Fillable Form Required)

The applicant must upload a completed form that certifies that Federal funds have not and will not be used for lobbying in connection with this request for Federal financial assistance. A fillable Form CD-511 can be found in the MMG ZIP folder.

3.2. Standard Form-LLL (Disclosure of Lobbying Activities) – Uploaded by Applicant (Fillable Form Required if Applicable)

Standard Form-LLL must be completed and submitted for those applicants that need to disclose lobbying activities that have been secured to influence the outcome of a Federal action. A fillable Form SF-LLL can be found in the MMG ZIP folder.

3.3. SAM.gov Registration – Uploaded by Applicant

Applicants are asked to upload a screenshot of their SAM.gov registration.

Project Information

1. Project Details

1.1. Open Field: 1000 Word Executive Summary – Inputted into NTIA Grants Portal

1.1.1. Please describe how the applicant's proposal will advance the objectives of the MMG Program, as well as the specific objectives outlined in the Notice of Funding Opportunity (NOFO);

1.1.2. An overview of the proposed route or service area(s), including information regarding rurality and socio-economic indicators in the area to be served by the proposed project; and

1.1.3. A description of the level of need in the proposed service area(s), including communities considered unserved and/or underserved in the proposed service area(s)

1.2. Level of Need Narrative – Uploaded by Applicant

1.3. A description of the level of need in the proposed service area(s), including but not limited to communities considered unserved and/or underserved in the proposed service area(s), discussion of the competitive landscape in the area, variations among

service areas if there are any, or the general economic conditions in the proposed funded service area. **Check Y/N:** “NTIA strongly encourages prospective non-state applicants to coordinate and consult with the State Broadband Office or other coordinating body located in the jurisdiction in which the eligible entity proposes to deploy middle mile infrastructure to ensure that the proposal is consistent with the state’s broadband plan and priorities. Please confirm collaboration and consultation.”

1.4. Open Field: 500 Word Government and Community Involvement – Inputted into NTIA Grants Portal

Please provide information on the applicant’s coordination with applicable State, Territory, Tribal, and local governments, including their awareness of the proposed project and any potential impact to respective service areas; and Information regarding the applicant’s involvement and coordination with community organizations or other relevant partners in the proposed service area

1.5. Prioritization

Each applicant must make a binding commitment to prioritize at least one of the following via the funded middle mile network. The commitment should be described in the Executive Summary.

- 1.5.1. Check Y/N:** Connecting middle mile infrastructure to last mile networks that provide or plan to provide broadband service to households in unserved areas;
- 1.5.2. Check Y/N:** Connecting non-contiguous trust lands; or
 - 1.5.2.1.** If yes, please describe
- 1.5.3. Check Y/N:** The offering of wholesale broadband service at reasonable rates on a carrier-neutral basis.

1.6. Statutory Purpose

Each applicant must attest and demonstrate that it will meet at least two of the following five requirements

- 1.6.1. Check Y/N:** The eligible entity adopts fiscally sustainable middle mile strategies.⁴ This strategy should be described in the Budget Narrative.
- 1.6.2. Check Y/N:** The eligible entity commits to offering non-discriminatory interconnect to terrestrial and wireless last mile broadband providers and any other party making a bona fide request. This policy will be described in the Interconnect Policy.
- 1.6.3. Check Y/N:** The eligible entity identifies specific terrestrial and wireless last mile broadband providers that have(i) expressed written interest in interconnecting with middle mile infrastructure planned to be deployed by the eligible entity; and ii) demonstrated sustainable business plans or adequate funding sources with respect such interconnection. This may be demonstrated in the Level of Need Narrative.
- 1.6.4. Check Y/N:** The eligible entity has identified supplemental investments or in-kind support (such as waived franchise or permitting fees) that will accelerate the completion of the planned project. Such acceleration may be described in the

⁴ In particular, applicants should submit with their application financial studies, analyses, or other materials demonstrating that reasonably anticipated revenues associated with middle mile projects that are constructed, improved, or acquired using MMG Program funds will be sufficient to allow long-term provision of service in light of reasonably anticipated costs. The required documentation includes organizational historical financials, audited financials, pro-forma financial projections and analysis to substantiate the sustainability of the proposed project, and submission of a letter of credit valued at no less than 25 percent of the requested award amount.

Project Timeline Narrative.

- 1.6.5. Check Y/N:** The eligible entity has demonstrated that the middle mile infrastructure will benefit national security interests of the United States and the Department of Defense. The benefits may be explained in the Benefitting National Security Interests Narrative.

1.7. Open Field: 200 Word Benefitting National Security Interests Narrative – Inputted into NTIA Grants Portal

Relevant considerations here include, but are not limited to, whether the funded middle mile infrastructure will increase the redundancy and resiliency of telecommunications networks that support broadband services, other commercial telecommunications services, protection of other critical national infrastructure (e.g., the national power grid and power transmission facilities), border security, or other physical infrastructure sensor and monitoring.

1.8. Project Timeline

- 1.8.1.** Drop down “Number of Years” (1, 2, 3, 4, 5)

1.9. Open Field: 500 Word Project Timeline Narrative – Inputted into NTIA Grants Portal

This upload is REQUIRED of all MMG Applicants. The narrative requires the Applicant to describe a project with critical path, including key milestones for implementation of the project, preparations, and risk factors; and a capital investment schedule evidencing that the applicant will complete build-out and the initiation of service within five years of the date on which the entity receives the grant and will meet interim buildout requirements set forth herein and in any other binding document.

Eligible entities that receive a middle mile grant shall demonstrate to the satisfaction of the Assistant Secretary that they have completed the buildout of 40 percent of project miles by the end of the second year after the award date, 60 percent of project miles by the end of the third year, 80 percent of project miles by the end of the fourth year, and 100 percent of project miles by the end of the fifth year. For the sake of clarity, the project must be completed, lit, and operating no later than five years after the date of the award.

If the project is able to be accelerated with supplemental investments or in-kind support to meet a statutory purpose, this should be explained.

The Applicant will demonstrate completion objectives. The Applicant should consider such project areas as: a) network design; b) securing all relevant licenses and agreements; c) site preparation; d) inside plant deployment; e) outside plant deployment; f) deployment of business and operational support systems; g) network testing; and i) network operational.

1.9.1. Check Y/N: “Is an extension being requested?”

1.10. Open Field: 200 Word Extension Narrative – Inputted into NTIA Grants Portal

An eligible entity may submit a request for an extension, which must include the justification for such an extension and all relevant circumstances. At the request of an

eligible entity, the Assistant Secretary may extend the buildout deadline by not more than one (1) year if the eligible entity certifies that:

- (i) the eligible entity has a plan for use of the grant funds;
- (ii) the project to build out middle mile infrastructure is underway; or
- (iii) extenuating circumstances require an extension of time to allow completion of the project to build out middle mile infrastructure.

1.11. Tribal Certification and Supplemental Information

1.11.1. Special Rules for Tribal Governments and Native Entities

The Infrastructure Investment and Jobs Act permits the Assistant Secretary, in consultation with Tribal governments and Native entities, to waive, or specify alternative requirements, in connection with most directives governing the MMG Program if the Assistant Secretary finds that waiver or modification of the requirement is necessary for (a) the effective delivery and administration of middle mile grants to Tribal governments or (b) the construction, improvement, or acquisition of middle mile infrastructure on trust land.

1.11.1.1. Check Y/N if waiver or alternative requirements are requested

1.11.1.2. Upload waiver if applicable

1.11.2. A Tribal Government may certify whether an area within its own Tribal Land is unserved or underserved based on criteria of its choosing. Any such Tribal Government must certify that the areas where middle mile service is proposed (including any such areas where a provider offers, or has proposed to offer, last-mile service) are unserved or underserved and provide a statement on Tribal Letterhead explaining how the determination that the area is unserved or underserved was made and additional supporting information if available.

1.11.2.1. Upload Certification, as applicable.

1.12. Program Details

1.12.1. Open Field: 500 Word Fair Labor Narrative – Inputted into NTIA Grants Portal

Applicants must have a demonstrated record of and plans to be in compliance with federal labor and employment laws. This will help ensure that projects are carried out in accordance with the law, assist NTIA in ensuring that a prospective awardee is capable of carrying out activities funded by an award in a competent manner in compliance with all applicable federal, state, and local laws; and promote the effective and efficient completion of high-quality middle mile broadband infrastructure projects by ensuring a reliable supply of skilled workers and minimizing disruptive and costly delays.

1.12.1.1. In order for NTIA to evaluate an applicant's demonstrated record of and plans to be in compliance with federal labor and employment laws, each applicant must provide examples of items described in III.H in the NOFO. Applicants are asked to upload a Certification from an Officer/Director-level employee (or equivalent) of the applicant evidencing consistent past compliance with federal labor and

employment laws by the applicant, as well as contractors and subcontractors.

1.12.2. Open Field: 500 Word Highly Skilled Workforce Narrative

To ensure that applicants have the technical and operational capacity to carry out the project, applicants must submit a plan for ensuring that the project workforce will be an appropriately skilled and credentialed workforce (including by the applicant and each of its contractors and subcontractors). The plan for a highly skilled workforce should include the information described in III.I in the NOFO.

1.12.3. Open Field: 500 Word Advancing Workforce Development Narrative – Inputted into NTIA Grants Portal

A skilled workforce is critical to meeting infrastructure buildout timelines under the Infrastructure Act and connecting households across the country to reliable, affordable, high-speed broadband. A well-trained workforce will also allow for the safe deployment of sustainable networks. To meet the workforce needs of the MMG Program, applicants must make appropriate investments to develop a skilled, diverse workforce. Each applicant must provide as part of its application examples of items described in III.J in the NOFO.

1.12.4. Open Field: 500 Word Climate Resiliency Narrative – Inputted into NTIA Grants Portal

Please demonstrate that the applicant has sufficiently accounted for current and future weather- and climate-related risks to new MMG Program infrastructure projects. In particular, each applicant should clearly demonstrate how it is conducting the items listed in III.K in the NOFO.

1.12.5. Civil Rights and Nondiscrimination Law Compliance

- 1.12.5.1.** Check Y/N: “Prior to distributing any MMG Program funding to a prospective awardee, NTIA will require the prospective awardee to agree, by contract or other binding commitment, to abide by the non-discrimination requirements set forth in III.L in the NOFO.”

2. Technical Capabilities

2.1. Certification of Technical Capability – Uploaded by Applicant

Each applicant must supply a certification attesting that it is technically qualified to complete and operate the proposed project.

2.2. Open Field: 500 Word Technical Overview Narrative – inputted into NTIA Grants Portal

Please describe targeted last mile service objectives, including last mile service provider letters of commitment, agreements, or contracts; and a description of the proposed service offerings, including the pricing of the services to be offered over the proposed facility.

- 2.2.1.** Applicants are encouraged to upload supplemental documentation.

2.3. Open Field: 500 Word Competitive Landscape – Inputted into NTIA Grants Portal

The Applicant should describe existing middle mile offerings in the area, if any, including competitor data if applicable. This should include a description of the proposed service offerings, including the pricing and technology of the services to be offered over the proposed facility. Where possible, Applicant’s project should be able to demonstrate a decline in

middle mile costs that are likely to flow through to consumer broadband prices.

2.3.1. Applicants are encouraged to upload supplemental documentation.

2.4. Open Field: 500 Word Interconnect Policy – Inputted into NTIA Grants Portal

The Applicant must describe in detail the nondiscrimination, interconnection, and network management practices that would be adopted for the project facilities. The Applicant should describe how it will comply with nondiscrimination and interconnection obligations, particularly with connectivity to the public Internet and physical interconnection for the exchange of traffic. In addition to describing network management practices, the Applicant should disclose any practices in place to block access to illegal or harmful content.

These nondiscrimination and interconnection requirements apply to components of projects that are funded by MMG. These obligations apply to the grantee, and do not apply to any existing network arrangements or to non- awardees using the network. However, the grantee may negotiate contractual covenants with broadband service providers to deploy or operate the network facilities and pass these conditions through to them. In any case, the grantee must have in place safeguards to ensure that the network nondiscrimination and interconnection obligations are met. The Applicant will include the URL to the publicly available interconnection policy and verify that such policy is to be offered in perpetuity.

2.5. Menu Selection: Drop Down Type of technology to be used in proposal: Fiber Optic Technology, Wireless, Other

2.5.1. Open field to explain other, if applicable

2.5.2. If fiber, check Y/N: Each applicant of an award to build middle mile infrastructure using fiber optic technology shall certify that the proposed project, upon completion, will include direct interconnection facilities that will facilitate the provision of lit broadband service, at speeds not less than 1 Gigabit per second for downloads and 1 Gigabit per second for uploads to anchor institutions located within 1,000 feet of the middle mile infrastructure.

2.5.2.1. If fiber, upload template “Template CAI”

2.5.2.2. Check Y/N: An eligible entity applying for a middle mile grant may seek, and the Assistant Secretary may grant, a waiver of the requirements set out in the previous paragraph, in full or in part, to the extent the eligible entity demonstrates that the requirement is not technically or economically feasible.

2.5.3. If wireless or other, allow capability to upload Template CAI.

2.6. Network Route Maps – Uploaded by Applicant

Applicants should provide a physical network map that includes the following (if applicable):

- 2.6.1. The Project Area and those unserved and underserved areas which it will enable.
- 2.6.2. Applicant's pre-existing service area that demonstrates current service levels.
- 2.6.3. The physical path of the network's transmission medium (*e.g.*, backbone and lateral cable routes, microwave links), transmission type, technology, operating bandwidth, capacity (*e.g.*, dark vs. lit strand count), and cable placement (*e.g.*, aerial, burial) should be displayed.
- 2.6.4. Points of interconnection (purely passive and non-environmentally controlled nodes, *e.g.*, splice points are optional):
 - Provider Facilities
 - Collocation Facilities
 - Private Interconnection Points with partnering service provider/private network
- 2.6.5. Wireless towers and associated coverage areas.
- 2.6.6. Anchor institutions within 1,000 feet, if desired.
- 2.6.7. Additionally, the maps should delineate between network and facilities that are:
 - Part of the Applicant's/key partners' existing network;
 - Proposed as part of this project;
 - Leased from a third party;
 - Utilized under some alternative arrangement; or
 - Relevant to interconnection with either Last Mile or Middle Mile service providers.

PLEASE NOTE: Only ESRI Shapefiles will be accepted and uploaded.

2.7. Data Submission Specification – Uploaded by Applicant (Template Use Required)

There is a template "Upload Template Data Submission Specification" which shall be uploaded. Applicants must complete the table with information for all interconnection points proposed for the network. This table has three required fields: Point Name, Latitude and Longitude. This should accommodate all of the points of interconnection (passive, non-environmentally controlled points of interconnection, *e.g.*, splice points, may be excluded), collocation facilities, central offices, head ends, and other centralized facilities, network access points to Last Mile service providers, Internet peering points, and towers.

2.8. Network Logical Diagram – Uploaded by Applicant

The Applicant must provide network diagrams to be uploaded for the project including all of the network elements and the capacity, facilities, and mileage between each element. The diagram must clearly denote which of the network elements already exist. See examples below. The diagrams must also explicitly show:

- 2.8.1. The links between the network nodes. The types of facilities used in connecting all the network elements (fiber, copper, microwave, etc.).

- 2.8.2. Internet peering points, access to local exchange carriers and central offices and cable head ends.
- 2.8.3. The proposed aggregation node facilities that will provide the egress point(s) from the broadband backbone to the networks of the selected service provider(s), Last Mile service providers, and the selected Internet Service Provider(s) and any other value-added services that may be provided in the new infrastructure.
- 2.8.4. The points of interconnection and collocation facilities.

The Applicant should show how traffic originates on the network and flows through the network, delineating which protocols are used on each link, and which technologies and standards are used at each junction. The diagram should include capacity constraints for each network element. The following diagrams illustrate the required level of depth.

2.9. Open Field: 200 Word Environmental Narrative – Inputted into NTIA Grants Portal with Image Files Uploaded by Applicant

Any project-related activity that may adversely affect the environment must not be undertaken prior to the completion of the environmental review process prescribed by NTIA. Doing so may jeopardize consideration of the application.

All Applicants for MMG projects must comply with the National Environmental Policy Act, the National Historic Preservation Act, and the Endangered Species Act, and other applicable environmental regulations.

Please provide a service-area environmental description that describes the physical project area and its surroundings (e.g., disturbed or developed land vs. open space; adjacent natural resources, such as rivers, wetlands, or forestlands; and any protected lands or resources in or near the project area), including site photographs and aerial photographs (e.g., Google Earth or Google Maps images), if the project includes construction and/or ground disturbing activities.

3. Required Project Documents

3.1. Negotiated Indirect Cost Rate Agreement – Uploaded by Applicant if Applicable

This is a document published to reflect an estimate of indirect cost rate negotiated between the Federal Government and a Grantee’s organization which reflects the indirect costs (facilities and administrative costs) and fringe benefit expenses incurred by the organization. This must be completed, if applicable.

3.2. Template Table of Funded Partners and Unfunded Collaborators – Uploaded by Applicant (Template Use Required)

List all funded and unfunded project collaborators, including partners, subrecipients, match providers, major contractors/supplies, details on role/scope of work for project. A fillable Template of Funded Partners and Unfunded Collaborators can be found in found in the MMG ZIP folder.

3.3. Certificate of Operational Capability – Uploaded by Applicant

Each applicant must supply a certification from an officer-level employee (or individual of comparable rank) attesting to the applicant's operational capability to complete and operate the proposed project.

If the applicant has provided a voice and/or broadband internet access service, it must supply a certification from an officer-level employee (or individual of comparable rank) attesting that it has filed FCC Form 477s and the Broadband DATA Act submission, if applicable, to the extent required during this time period and otherwise complied with the Commission's rules and regulations. Alternatively, the applicant must explain any pending or completed enforcement action, civil litigation, or other matter in which it was alleged to have failed to comply with Commission rules or regulations.

If the applicant has operated only an electric transmission or distribution service, it must 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.

Budget Information

1. Financial Information

1.1. Certification of Financial Capability – Uploaded by Applicant

Each applicant must supply a certification from an officer-level employee (or individual of comparable rank) attesting that it is financially qualified to meet the obligations associated with a project, that they will have available funds for all project costs that exceed the amount of the grant, and that they will comply with all MMG Program requirements, including service milestones.

1.2. Letter of Credit – Uploaded by Applicant

During the application process, each applicant must submit a letter from a bank meeting eligibility requirements consistent with those set forth in 47 C.F.R. § 54.804(c)(2) committing to issue an irrevocable stand-by letter of credit, in the required form, to the applicant. The letter shall at a minimum provide the dollar amount of credit offered and the issuing bank's agreement to follow the terms and conditions of NTIA's model letter of credit. NTIA shall publish on its website a model letter of credit substantially similar to the model letter of credit established by the Federal Communications Commission in connection with the Rural Digital Opportunity Fund (RDOF).⁵

NTIA will ensure, prior to issuing a middle mile grant award, that each eligible entity obtains an acceptable, irrevocable standby letter of credit in a value of no less than 25 percent of the award amount.

Each eligible entity shall provide with its letter of credit an opinion letter from its legal counsel clearly 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. §

⁵ *Rural Digital Opportunity Fund Order*, 35 FCC Rcd at 773-77, Appx. 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 winning bidder's bankruptcy estate under Section 541 of the Bankruptcy Code.

1.3. **Audited Financial Statements – Uploaded by Applicant**

Each applicant shall submit financial statements from the three prior fiscal years that are audited by an independent certified public accountant. If the applicant is not audited in the ordinary course of business, in lieu of submitting audited financial statements it must submit unaudited financial statements from the three prior fiscal years and certify that it will provide financial statements from the three prior fiscal years that are audited by an independent certified public accountant by an NTIA specified deadline.

1.4. **Historical Financial Statements – Uploaded by Applicant, if applicable**

2. **SF-424 C (Budget Information- Construction Programs) – Inputted into NTIA Grants Portal**

This form will be filled out directly in the NTIA Grants Portal. You can find a copy of this form in the MMG Application Zip folder and instructions for completion can be found in the MMG Application Guidance. Applicants are encouraged to complete this form as a DRAFT prior to inputting the form contents in the NTIA Grants Portal.

3. **Budget Narrative, Detailed Budget and Related Documents**

3.1. **Budget Narrative – Uploaded by Applicant (Template Use Required)**

Applicants will create and submit a budget narrative that adequately describes all proposed activities and costs for their grant-funded project. **Applicants must complete the file template (found in the MMG ZIP folder) fill in all required information, and upload the file.** The file must be uploaded as a Word file, and not converted to a PDF. You can find additional guidance in the MMG Application Guidance.

3.2. **Template Detailed Budget Justification – Uploaded by Applicant (Template Use Required)**

The Detailed Budget Justification spreadsheet must reflect the cost categories that appear on the SF-424 and SF-424C and include itemized calculations for each cost placed under those categories. A fillable Template Detailed Budget Justification can be found in the MMG ZIP folder.

3.3. **Template Pro Forma – Uploaded by Applicant (Template Use Required)**

Pro forma financial projection and analysis related to the project’s sustainability, inclusive of subscriber (e.g., last mile network connections, other wholesale services), across an eight-year forecast period. A fillable Template Pro Forma can be found in the MMG ZIP folder.

3.4. **Check Y/N: “Any other funding provided for this project?”**

3.4.1. If yes, Open field: 200 Word Narrative – Inputted into NTIA Grants Portal

Budget Narrative Guidance for Middle Mile Grant (MMG) Projects

All applications for MMG projects must have a detailed budget narrative explaining and justifying the federal expenditures by object class as listed in the SF-424C.

For each object class in the SF-424C, applicants should include detailed descriptions and cost justifications for the listed costs. The budget narrative must match the detailed budget justification spreadsheet and SF-424C dollar amounts. The budget narrative must also match the total dollar amount on the SF424.

Costs proposed for this grant program must be reasonable, allowable, allocable, and necessary to the supported activity. Please refer to 2 CFR Part 200 for applicable administrative requirements and cost principles. Please refer to the Notice of Funding Opportunity (NOFO) for program objectives as well as specific allowable and unallowable costs and activities.

For each cost listed below, the applicant must provide the breakdown of each cost, applicants must provide a description of each charge to include what it is, who will be doing it (if applicable and if known), and how it relates to the project objectives. If the applicant will be providing a cash or in-kind match in this cost category, this must be noted and explained in the justification to include a break-down of the federal and non-federal share of each proposed cost.

Total Federal Funding for MMG Project

List the total requested funding at the top of the budget narrative. The total listed here must match the total in the SF-424, SF-424C and the detailed budget justification spreadsheet.

Applicants should list total project costs, the total Federal grant request, total cash match (if applicable), and total in-kind match (if applicable). The applicant should then provide the total matching funds for all match (cash and in-kind) as the percentage of total project costs.

1. Administrative and Legal expenses

Examples of administrative and legal expenses may include costs attributable to: accounting, auditing, contracting, budgeting, and legal services in support of the construction of the project; general office supplies; and general and administrative salaries and wages. Costs related to the normal functioning of government must not be included. Please be mindful that some of the costs above may be considered indirect costs, and if so, should not be charged to the award as a direct cost and must be applied in accordance with 2 CFR § 200.412.

Administrative and legal fees should be listed by category (ex. training, grant management, etc.), or broken down by line item as much as possible. Each line must include the total time (ex. total number of hours), cost per unit, and the total cost for that line item. If applicable, time commitment(s) such as hours or level of effort should be provided.

If an applicant is proposing reasonable, post-NOFO, pre-application expenses in an amount not to exceed fifty thousand dollars (\$50,000) of grant funds received under the MMG it should be included in this category.

If an applicant plans to charge indirect costs to this award, they should also be included into the Administrative and Legal Expenses line item. The detailed budget justification template and the budget narrative should clearly explain how they are being applied and to what. Additionally, if indirect costs are proposed, the applicant must also be sure to attach a copy of their most recent negotiated indirect cost rate agreement for analysis by the NIST Grants Management Division to ensure they are applied appropriately or indicate that the recipient is applying the de minimis rate in accordance with 2 CFR § 200.414(f)

If indirect costs are proposed in addition to local match/cost share, the applicant is required to provide in their budget narrative the break-down of the federal amount and local share of indirect costs, consistent with OMB Memorandum M-22-02 to assist with government-wide reporting of indirect costs.

Sample Justification for Federally funded activities:

Activity	Total Time	Rate	Total Cost
Grant Management activities	300 hours	\$50 per hour	\$15,000
Legal Fees	60 hours	\$150 per hour	\$9,000

Example details for items above:

Grant Management Activities (\$15,000) – Staff time estimated 300 hours @ \$50 per hour (exact staff TBD) to complete mandatory grant management activities such as completing reports, responding to audit requirements, conducting budgetary activities, and other activities as required by the grantor. These activities are necessary to meet the reporting and compliance requirements of the grant program. This position will be Federally funded/not match funded.

Legal Fees (\$9,000) – estimated 36 hours @ \$250 per hour to develop agreements and MOUs between the various organizations involved in the grant, to include sub-grantees. Also, will conduct legal reviews for all contracts.

2. Land, structures, rights-of-way, appraisals, etc.

Examples of land, structures, rights-of-way, and appraisals may include estimated site and right(s)-of-way acquisition costs, including purchase, lease and/or easements. Provide a

description of estimated costs, proposed activities, and any additional information. Each line item should be listed with the following information:

- Description: a description of what is needed to be purchased or the explanation of the specific proposed cost, etc.
- Unit basis: method for counting each item (by mile, by feet, individually, etc.)
- Unit cost: the cost for one unit (from the unit basis)
- Number of units: total number of units (from the unit basis)
- Total cost: Unit cost x number of units = total cost

Example:

Description	Unit Basis	Unit Cost	Number of Units	Total Cost
12' by 20' Utility building/hut	Each	\$40,000	12	\$480,000
Railroad crossing permit	Cost is per crossing	\$2800	10	\$28,000

Example detail:

Leases (\$200,000) –Leasing of land for 10 sites 5 sites @ \$10,000 per site and 5 sites at \$30,000 per site. Each site measures approximately 500 feet square and will be used to place utility huts for nodes to operate the network.

Railroad crossing rights-of-way (\$28,000) – There are 10 areas/locations where the network will have to cross under the path of a railroad. Rights-of-way must be obtained to cross-under the rail roads and include \$2,000 application fee per site, as well as \$800 per site in taxes for use of the land. The cost is based on past experience of crossing under railroads in a nearby location. In order to complete the project successfully, the network must cross the railroads and cannot go around them.

3. Relocation expenses and payments

Examples of relocation expenses and payments may include cost related to relocation advisory assistance, replacement housing, and relocation payments made to displaced persons and businesses. Applicants must provide an explanation for the relocation, description of the items involved in relocation, methods used to calculate the costs, and any additional information to describe the costs around relocation.

Each line item should be listed with the following information:

- Description: a description of the items to be relocated or the payments for relocation
- Unit basis: method for counting each item (by unit, individually, etc.)
- Unit cost: the cost for one unit (from the unit basis)

- Number of units: total number of units (from the unit basis)
- Total cost: unit cost x number of units = total cost

Example:

Description	Unit Basis	Unit Cost	Number of Units	Total Cost
Moving/relocating NOC to a new building	Each	\$50,000	1	\$50,000

Example detail:

Relocation (\$50,000) – Relocation of a displaced business is required to optimize the performance of the proposed network due to several technical limitations. Costs include \$30,000 in moving expenses to the business’ new location, as supported by a quote from the moving company, as well as \$20,000 in relocation payment to the business to off-set the time the business will not be open.

4. Architectural and engineering fees

Examples of architectural and engineering fees related to construction may include start-up services and the preparation of project performance work plans, etc.. Provide a description of estimated costs, an explanation of proposed services, and additional information as needed. Engineering and network design costs should be included in this section.

Each fee/cost should be listed individually with the following information:

- Description: a description of the fee/cost
- Unit basis: method for counting each fee/cost (hourly, flat fee, annual fee, etc.)
- Unit cost: the cost for one unit (from the unit basis)
- Number of units: total number of units (from the unit basis)
- Total cost: unit cost x number of units = total cost

Example:

Description	Unit Basis	Unit Cost	Number of Units	Total Cost
Site Architectural Plans	Each	\$3,200	15	\$48,000
CAD Design	Cost per hour	\$75	2000	\$150,000

Example detail:

Site Architectural Plans (\$48,000) – The cost is \$3,200 per site. It is anticipated that the architect will require 32 hours per site @ \$100 per hour to develop improvement plans for each of the node sites, including basic node design and site plans. The costs are estimated based on industry standards for the area.

CAD Design (\$150,000) – The CAD design will be completed by a consultant using a computer-based design program in AutoCAD for the construction, permits, and cable location records. The time is estimated at 2,000 hours at \$75 an hour over the one-year period of performance. \$75 an hour is the average per hour cost for a mid-level consultant per the Department of Labor.

5. Other architectural and engineering fees

Examples of other architectural and engineering fees include engineering costs such as surveys, tests, soil borings, fees for field studies/field fees etc.

Each fee should be listed individually with the following information:

- Description: a description of the fee
- Unit basis: method for counting each fee (hourly, flat fee, annual fee, etc.)
- Unit cost: the cost for one unit (from the unit basis)
- Number of units: total number of units (from the unit basis)
- Total cost: unit cost x number of units = total cost

Example:

Description	Unit Basis	Unit Cost	Number of Units	Total Cost
Network System Testing	Each	\$40,000	12	\$480,000
Cable Testing	Cost per hour	\$125	1500	\$187,500

Example detail:

Network System Testing (\$130,000) – Overall testing of the network. Two techs for one week at each of the 12 nodes plus the NOC. Rates are industry standard for 2 people in this type of role. Rate is \$125 per hour and estimated 1,040 hours are required (80 hours per nod/NOC x 13 sites). The rate is the standard rate for this type of work in our area.

Cable Testing (\$187,500) – End-to-end cable testing and troubleshooting between 12 nodes. This will be completed by two people over the period of performance, totaling \$187,500. The rate of \$125 an hour for an estimated 1500 hours over the life of the project. \$125 an hour is the standard rate for this type of work in our area.

6. Project Inspection fees

Provide a description of any engineering inspection fees, to include local, Tribal, or Federal fees directly related to project inspection. Administrative or filing fees should not be listed in this section, but rather should be included in the administrative or legal expenses (1) section.

Each fee should be listed individually with the following information:

- Description: a description of the fee
- Unit basis: method for counting each fee (hourly, flat fee, annual fee, etc.)
- Unit cost: the cost for one unit (from the unit basis)
- Number of units: total number of units (from the unit basis)
- Total cost: unit cost x number of units = total cost

Example:

Description	Unit Basis	Unit Cost	Number of Units	Total Cost
Quality Control inspection fees	Each	\$100	24	\$2,400

Example detail:

Quality Control inspection fees (\$24,000) – Quality control inspection fees are required to assure compliance with local regulations. 24 inspections will be conducted at an estimated cost of \$1,000 per inspection over the period of performance. The billing rate is set by local governments and is completed per review.

7. Site work

Provide a description of any site work, site preparation, site restoration, or site utility work necessary for the project that are not included in the basic construction contract. Administrative or filing fees or costs should not be listed in this section, but rather should be included in the administrative or legal expenses (1) section.

Each line item should be listed individually with the following information:

- Description: a description of the site work
- Unit basis: method for counting each item (hourly, flat fee, annual fee, etc.)
- Unit cost: the cost for one unit (from the unit basis)
- Number of units: total number of units (from the unit basis)
- Total cost: unit cost x number of units = total cost

Example:

Description	Unit Basis	Unit Cost	Number of Units	Total Cost
Fencing – 30' x 30'	Per Node	\$7,000	12	\$84,000

Example detail:

Fencing (\$84,000) – 6-foot chain link fencing with security wiring and two gates. Local contractor estimated \$7,000 per site based on previous, similar work. Each node (12) will require fencing.

8. Demolition and removal

Provide a description of any demolition and removal activities for the project.

Each activity should be listed individually with the following information:

- Description: a description of the demolition or removal
- Unit basis: method for counting each activity (hourly, flat fee, annual, etc.)
- Unit cost: the cost for one unit (from the unit basis)
- Number of units: total number of units (from the unit basis)
- Total cost: unit cost x number of units = total cost

Example:

Description	Unit Basis	Unit Cost	Number of Units	Total Cost
Demolition of building	Each	\$100,000	1	\$100,000

Example detail:

Demolition of building (\$100,000) – Demolition of an existing structure (office building) at location A to erect a new vendor neutral wireless tower at the same location. Demolition estimates were provided by a local vendor. Demolition includes razing the structure to the foundation (\$60,000) and hauling away and disposal costs for debris (\$40,000). This location was determined to be the only place in location A that would work for a tower and that is why it is necessary to remove the building, rather than put the tower at another location.

9. Construction

Provide a description of any proposed construction costs for the project to include: construction contract(s) and other construction related costs not covered by the construction contract(s). Your narrative should describe each contract, with break-outs for specific costs under each contract as well as any construction costs not covered under contract by line item and sufficient information to support how each cost was determined.

Each activity should be listed individually with the following information:

- Description: a description of the activity
- Unit basis: method for counting each activity (hourly, flat fee, annual, etc.)

- Unit cost: the cost for one unit (from the unit basis)
- Number of units: total number of units (from the unit basis)
- Total cost: unit cost x number of units = total cost

Example:

Description	Unit Basis	Unit Cost	Number of Units	Total Cost
Boring	Per Foot	\$5.50	111,500	\$613,250
Wireless Tower	Each	\$20,000	8	\$160,000

Example detail:

Boring (\$613,250) – Charge is per foot for an estimate of 111,500 feet. The estimated 111,500 feet is based on the number of boring locals in later cables and on a main route next to one of the nodes. Prices are from a local vendor quote.

Wireless towers (\$160,000) – Total 8 wireless towers at \$20,000 each totaling \$160,000. Each monopole tower will facilitate interconnection by last mile service providers and meet open network standards. Price is quoted by two local vendors and is average for the local area.

Contract with ABC Building (\$480,000) to construct 12 utility huts to house the nodes. Cost break-out of the contract is as follows: \$20,000 per hut to purchase pre-fabricated utility huts, \$5,000 in materials for the concrete slabs to build the huts on including concrete, rebar, and wood for the forms, and \$15,000 in labor estimated at \$75 per hour and 200 hours to build the forms, pour the slab, and erected the huts.

10. Equipment

Provide a description of any equipment for the project, but do not include equipment components of the network that are included in any construction contracts. In your description of the equipment, include the brand or manufacturer as well as estimated price and technology specifications. This may include costs of office, shop, laboratory, safety equipment, etc.. Include all applicable taxes and delivery fees into the line-item cost (do not have separate line items for these charges).

Each activity should be listed individually with the following information:

- Description: a description of the activity
- Unit basis: method for counting each activity (hourly, flat fee, annual, etc.)
- Unit cost: the cost for one unit (from the unit basis)
- Number of units: total number of units (from the unit basis)
- Total cost: unit cost x number of units = total cost

Example:

Description	Unit Basis	Unit Cost	Number of Units	Total Cost
Laptops/GPS	Each	\$2,000	5	\$10,000
Communications Equipment	Each	\$3,800	12	\$45,600

Example detail:

Laptops/GPS (\$10,000) – 10 Dell laptops @ \$1,000 each, equipped with basic office service package for the inspectors and field engineers. Purchase price is based on entity general schedule purchase agreements.

Communications Equipment (\$45,600) – Package of equipment for on-site crew and key employees. Includes a cell phone, with satellite capability. Purchase price is based on local vendor quotes at \$12,000 per phone for 38 phones

11. Miscellaneous

Provide a description and breakout of any activities costs that do not fit into other cost classifications, as defined by the SF424C.

Put any costs for the planning, feasibility, or sustainability studies in this section.

Each activity should be listed individually with the following information:

- Description: a description of the activity
- Unit basis: method for counting each activity (hourly, flat fee, annual, etc.)
- Unit cost: the cost for one unit (from the unit basis)
- Number of units: total number of units (from the unit basis)
- Total cost: unit cost x number of units = total cost

Example:

Description	Unit Basis	Unit Cost	Number of Units	Total Cost
Feasibility Study for location A	Each	\$2,500	1	\$2,500

Example detail:

Feasibility Study for location A (\$2,500) – costs to complete a feasibility study for location A prior to starting any construction or demolition activities. Feasibility study is necessary to complete as the location has unusual geography and will help determine what site remediation is necessary to complete project work at the location.

12. SUBTOTAL (sum of lines 1-11)

13. Contingencies

Contingency costs are allowable but must be reasonable and consistent with the cost principles, specifically 2 CFR § 200.433. Section 200.433 describes a contingency as that part of a budget estimate of future costs (typically of large construction projects, IT systems, or other items as approved by the Federal awarding agency) which is associated with possible events or conditions arising from causes the precise outcome of which is indeterminable at the time of estimate, and that experience shows will likely result, in aggregate, in additional costs for the approved activity or project. Amounts for major project scope changes, unforeseen risks, or extraordinary events may not be included.

An applicant may include contingency costs (other than those expressly excluded as noted in the above paragraph) in budget estimates to the extent they are necessary to improve the precision of those estimates. Amounts must be estimated using broadly-accepted cost estimating methodologies, specified in the Budget Narrative, and accepted by NTIA. Contingencies are generally considered reasonable if they are 10-15% of total construction costs or less, otherwise the applicant should provide justification for the higher costs.

14. SUBTOTAL

15. Project (program) income

Project or program income must be reported in line with 2 CFR § 200.307.

16. TOTAL PROJECT COSTS

MMG Budget Narrative Template

Applicant Name:

Applicant Type:

Proposed Period of Performance:

Total Project Costs:

Total Federal Grant Request:

Total Matching Funds (Cash):

Total Matching Funds (In-Kind):

Total Matching Funds (Cash + In-Kind):

Total Matching Funds (Cash + In-Kind) as Percentage of Total Project Costs:

1. Administrative and Legal Expenses - \$

Provide a narrative that includes a detailed description and justification of the estimated costs, proposed activities, and additional information as needed.

2. Land, structures, rights-of-way, appraisals, etc. - \$

Provide a narrative that includes a detailed description and justification of the estimated costs, proposed activities, and additional information as needed.

3. Relocation expenses and payments - \$

Provide a narrative that includes a detailed description and justification of the estimated costs, proposed activities, and additional information as needed.

4. Architectural and engineering fees - \$

Provide a narrative that includes a detailed description and justification of the estimated costs, proposed activities, and additional information as needed.

5. Other architectural and engineering fees - \$

Provide a narrative that includes a detailed description and justification of the estimated costs, proposed activities, and additional information as needed.

6. Project Inspection fees - \$

Provide a narrative that includes a detailed description and justification of the estimated costs, proposed activities, and additional information as needed.

7. Site work - \$

Provide a narrative that includes a detailed description and justification of the estimated costs, proposed activities, and additional information as needed.

8. Demolition and removal - \$

Provide a narrative that includes a detailed description and justification of the estimated costs, proposed activities, and additional information as needed.

9. Construction - \$

Provide a narrative that includes a detailed description and justification of the estimated costs, proposed activities, and additional information as needed.

10. Equipment - \$

Provide a narrative that includes a detailed description and justification of the estimated costs, proposed activities, and additional information as needed.

11. Miscellaneous - \$

Provide a narrative that includes a detailed description and justification of the estimated costs, proposed activities, and additional information as needed.

12. SUBTOTAL (sum of lines 1-11) - \$

13. Contingencies - \$

Provide a narrative that includes a detailed description and justification of the estimated contingency costs, if any, and additional information as needed. Any contingency costs must be reasonable.

14. SUBTOTAL (sum of lines 12-13) - \$

15. Project (program) income - \$

Provide a narrative that includes a detailed description of the estimated program income, if any, to be earned during the grant period and additional information as needed.

16. TOTAL PROJECT COSTS - \$