

ConneCTed Communities Grant Program

Application Guidance



Office of Telecommunications & Broadband
Bureau of Energy & Technology Policy
Connecticut Department of Energy & Environmental Protection

Table of Contents

1. Program Overview

- a. Summary
- b. Source of Funding
- c. Timeline
- d. Contact

2. Program Details

- a. Eligible Applicants
- b. Program Requirements
- c. Project Prioritization
- d. Eligible Use of Funds
- e. Network Technology and Performance
- f. Universal Coverage
- g. Matching Contributions
- h. Affordability
- i. Tribal Government Consent and Service Status Confirmation

3. Application Details

- a. Eligible Project Areas
- b. Data to Substantiate Underserved Areas
- c. Nonstandard Installation Locations
- d. Construction Timeline
- e. Application Requirements
- f. Selection Process

4. Reporting and Compliance

- a. Post-Award Obligations
- b. Reporting
- c. Final Report
- d. Post-Award Monitoring
- e. Labor Standards
- f. Compliance with Federal Reporting Obligations
- g. Environmental Checklist
- h. Reservation of Rights

5. Mandatory Provisions

6. Resources

7. Application Package

8. Definitions

Program Overview

Summary

The Connecticut Department of Energy and Environmental Protection's (DEEP) Bureau of Energy and Technology Policy manages energy, telecommunication, and broadband policy issues and program deployment with the goal of establishing a clean, economical, resilient, and reliable energy and technology future for all residents. Recognizing that broadband access has become an indispensable tool for participation in the economy, education, healthcare, and social relationships, Governor Lamont has made expanding access to high-speed internet one of his top priorities. In 2021, he signed into law [Public Act 21-159](#), which calls for equitable access to broadband in the state and charged DEEP with administering grant programs that will support the deployment of broadband service with the goal of one gigabit download and one hundred megabits upload speeds.

The State of Connecticut's ConneCTed Communities Grant Program (Program) is supported using funds allocated by the Connecticut General Assembly through the Capital Projects Fund (CPF) of the American Rescue Plan Act (ARPA). ConneCTed Communities is a competitive grant program that will fund construction and deployment of broadband infrastructure designed to deliver service that supports the goal of universal access to affordable, resilient, and reliable broadband. DEEP will administer the Program and is seeking applications for grant funding to facilitate low-income and multi-family curb-to-home and business broadband infrastructure buildout in underserved areas.

Approximately forty million eight hundred thousand dollars (\$40,800,000.00) is targeted for this funding opportunity. Actual funds awarded may differ depending on the volume of applications received, the need of proposed projects for grant support, and the requirements of the U.S. Treasury. DEEP reserves the right to reevaluate Program outcomes and reallocate funds to other announced grant programs or create new programs.

The selected Applicant will be responsible for providing connectivity, as defined by Section I.C.a. in the Guidance for the Coronavirus Capital Projects Fund. The Applicant is responsible for compliance with all applicable local, state, and federal laws, codes, and regulations relative to the project and shall acquire all necessary permits, approvals, and agreements.

Source of Funding

The United States (U.S.) Treasury launched the Coronavirus Capital Projects Fund in 2021, which is funded by the American Rescue Plan. It provides ten billion dollars (\$10,000,000,000.00) for eligible governments to carry out critical capital projects that directly enable work, education, and health monitoring including remote options, in response to the public health emergency.

For a Capital Project to be an eligible use of the Capital Projects Fund, it must meet all of the following criteria:

- The Capital Project invests in capital assets designed to directly enable work, education, and health monitoring;
- The Capital Project is designed to address a critical need that resulted from or was made apparent or exacerbated by the COVID-19 public health emergency; and,
- The Capital Project is designed to address a critical need of the community.

The construction and deployment of broadband infrastructure projects is eligible for funding under the Capital Projects Fund program if the infrastructure is designed to deliver, upon project completion, service that reliably meets or exceeds symmetrical download and upload speeds of 100 megabits per second (Mbps). Treasury encourages Awardees to focus on projects that will achieve last-mile connections. Applicants considering funding middle-mile projects are encouraged to have commitments in place to support new and/or improved last-mile service.

The Department of Energy and Environmental Protection will administer this Program in accordance with U.S. Treasury guidelines.

Timeline

Completed applications and attachments must be submitted to DEEP by April 30, 2024, at 4:30 p.m. EST.

Application Release Date	Friday March 1, 2024
Applicant Webinar	Wednesday March 20, 2024
Submission of Questions Deadline	Sunday March 31, 2024
DEEP Responses to Questions Published	Friday April 12, 2024
Application Deadline	Tuesday April 30, 2024
Award Announcements	Friday June 14, 2024
Award Acceptance Deadline	Sunday July 14, 2024

How to Submit an Application

Applications will be received by the Department of Energy and Environmental Protection, Office of Telecommunications & Broadband, via a submission portal which will be made available on DEEP's website: <https://portal.ct.gov/DEEP/Business-and-Financial-Assistance/Grants-Financial-Assistance/Grants-and-Financial-Assistance>. Applications must be submitted through DEEP's portal. LATE APPLICATIONS WILL NOT BE ACCEPTED OR CONSIDERED.

Applicant Webinar

An applicant webinar will be held on Wednesday March 20, 2024, at 10:00 a.m. EST.

To register, visit DEEP's website or use the following link:

<https://ctdeep.zoom.us/meeting/register/tZYtce2vrzwvHtI8zBkoFkoSz3nWf4fSmlqY>

Questions Regarding the Application

Questions about the application may be submitted by email to DEEP.broadband@ct.gov, and must be received no later than 11:59 p.m. on Sunday March 31, 2024, to be considered for answer and possible inclusion in an addendum. The early submission of questions is encouraged. DEEP will not answer questions when the source is unknown (i.e., nuisance or anonymous questions). Questions deemed unrelated to the Application or the procurement process will not be answered. DEEP may combine similar questions and give only one answer. Answers to questions will be released on Friday April 12, 2024

Proprietary Information

Details regarding the Freedom of Information Act requirements can be found in the Mandatory Provisions section below.

Contact

All questions should be directed to DEEP.broadband@ct.gov.

Program Details

Eligible Applicants

Applicants must be eligible to receive Capital Projects Funds. Eligible entities that can apply for the grants from the Program include:

- Government entities: Tribal governments; local units of government (e.g., municipalities, counties, and other political subdivisions); State and local agencies
- Private for-profit entities: Commercial service providers (established or new entrants)
- Non-profit entities: Community organizations; institutes of higher education; etc.
- Other: Co-operatives, mutual organizations, utilities

Eligible entities must have the technical, managerial, and financial expertise to design, build, and operate high-speed broadband service infrastructure. DEEP will consider covered partnerships consisting of one or more of the above entities and a provider of internet service.

DEEP encourages partnerships between public and private entities. While one legal entity must be the official Applicant, and the party to the State's grant agreement, all partners will be required to participate in the application process. All entities involved in the proposed project must be in good standing and not be prevented from receiving federal or state grants.

If the Applicant is seeking to partner with another entity to operate the system, an agreement or draft agreement to do so must be provided with the application. This agreement must address the specific financial terms of this partnership and the specific entity or entities must be identified along with their qualifications. If the application is ultimately awarded, DEEP reserves the right to require modifications to such agreements if they are found to contain terms that are unacceptable to the State of Connecticut.

All Applicants must be registered through SAM.gov and have obtained a UEI.

Participating broadband service providers operating in the state must comply with required data filings as described in Conn. Gen. Stat. § 16-330b.

Program Requirements

Projects must result in the deployment of broadband infrastructure to provide service to homes and businesses in underserved areas, including curb-to-building line extensions and rewiring in multi-dwelling units (MDUs), as applicable.

Applicants are encouraged to develop projects that provide speeds of at least 1 Gbps/100 Mbps. At a minimum, projects receiving funds must be capable of offering last-mile broadband services of at least 100 Mbps symmetrical upload and download speeds and latency less than or equal to 100 milliseconds.

Applicants must submit a formal letter of support from the leadership of the affected communities, such as the First Selectman, Mayor, Town Manager, Council, and/or other appropriate government official.

Interested Applicants shall ensure compliance with all applicable statutes and regulations as set forth in the ARPA, Section 604 of the Social Security Act, Pub. L. No. 117-2 (March 11, 2021), and other related guidance as it pertains to broadband internet deployment. Funds provided under this agreement are not to be used for any costs that have already been or will be reimbursed by other federal or state funding.

Project Prioritization

The Program will prioritize proposals with strong last-mile projects that provide for quality and reliable service that have already undergone extensive prior planning and are supported with substantial matching funds.

In addition to compliance with Program requirements, applications will be prioritized based on secondary factors, including:

- Delivery of end-to-end fiber optic infrastructure
- Delivery of 1Gbps/100 Mbps speeds, or scalability to deliver 1Gbps/100 Mbps
- A commitment to service quality and affordable service plans offerings
- A commitment to open access, especially compliance with Docket Number 21-12-21
- A higher contribution of matching funds, with some exceptions

It is DEEP's intent to award funds in an equitable manner and DEEP therefore discourages any single application from requesting the majority of available funds. DEEP reserves the right under this grant program to issue as many or as few grants to as many or as few Applicants as it determines fit.

Eligible Use of Funds

Per the Department of Treasury ARPA guidelines, DEEP will provide reimbursement for all eligible expenses incurred after the award date. Projects which are selected to receive implementation funding may be reimbursed for actual capital expenses up to a maximum project cost identified in the award. Costs must be directly related to upfront investment associated with installing and/or upgrading existing broadband facilities on the proposed project on a one-time, capital improvement basis.

To receive funding from this Program, applicants must pay for standard installation costs up to the network interface point at no cost to the end user or to DEEP. Any installation costs that exceed the standard installation cost average proposed by the Applicant may be compensated at DEEP's discretion.

The following capital costs and expenses are generally eligible under the terms of the grant. This is not an exhaustive list. US Treasury guidelines and 2 CFR 200 Uniform Guidance will be the final arbiter of cost eligibility. All expenses require proper record keeping and documentation and may require asset tracking and be subject to audit.

Eligible project activities and costs include, at the discretion of DEEP:

- Professional services or staff costs necessary for implementation including engineering, consulting, environmental, cultural, legal, accounting, and project management costs needed to design, build, and test the proposed network.

- Costs of repair, rehabilitation, construction, improvement, and acquisition of real property, equipment, and facilities (e.g., telecommunications equipment, including infrastructure for backhaul, middle, and last mile networks).
- Costs of laterals and drops up to the demarcation point for an end user.
- Cost of long-term leases (for terms greater than one year) of facilities required to provide qualifying broadband service, including indefeasible right-of-use (IRU) agreements and capital leases.
- Personnel costs including salaries and fringe benefits for staff and consultants required for carrying out the project.
- Middle mile buildout is allowed to the extent that it supports new and/or improved last-mile service.

Ineligible project costs include, at the discretion of DEEP:

- Cost for facilities that exclusively benefit served locations.
- Cost of Customer Premises Equipment - including routers and modems, and any other costs beyond the network interface point.
- Acquisition of spectrum licenses.
- Operating expenses, other than grant administration costs.
- Short-term operating leases.
- Payment of interest or principal on outstanding debt instruments, or other debt service costs incurred prior to March 15, 2021.
- Fees or issuance costs associated with the issuance of new debt.
- Satisfaction of any obligation arising under or pursuant to a settlement agreement, judgment, consent decree, or judicially confirmed debt restructuring plan in a judicial, administrative, or regulatory proceeding.
- To support or oppose collective bargaining. This does not affect the ability to use funds to comply with 41 CFR 60-1.4.
- Expenses that have been or will be reimbursed under any federal or state program, or to match expenditures for which DEEP will receive federal reimbursement.
- Any costs incurred prior to the execution of the grant award agreement.
- Materials and equipment purchased more than the amount required to construct the project.
- Expenditures related to land buildings, structures, improvements, or equipment not directly used to support the deployment of broadband services in the proposed service area.
- Passthrough expenditures with respect to subcontractors or other third parties operating on an Awardee's behalf to the extent they are not the result of arm's length transactions or are not reflective of fair market rates.
- Personal expenses not related to the project's construction (example: food and beverage, equipment maintenance).
- Operational costs.
- Indirect labor costs (travel, meals, lodging, paid time off, etc.) or other costs not related to the grant/project.
- Expenses related to the provision of over-the-top services such as telephone or video services which are not necessary for the delivery of broadband service.

- Fundraising activities.
- Political endorsements, donations, or advertisements.
- Computers or office equipment.

Additional Cost Conditions:

- Awardees may not buy materials and resell them to the project (as a component of the Awardee's capital contribution to the project, or as an expenditure paid for with grant funds) at a profit.
- Reimbursements are subject to grant agreement execution and payment will occur only after full execution.
- Awardees may not request reimbursement for surplus materials not used in the Project. If the Awardee purchases in bulk for a better price, the reimbursable amount of material used should be limited to the actual amount used in the Project.

Network Technology and Performance

Projects must deploy reliable broadband service infrastructure that is wired and/or terrestrial fixed wireless technology utilizing entirely licensed spectrum or using a hybrid of licensed and unlicensed spectrum. Projects must result in broadband service speeds of at least 100 Mbps/100 Mbps and latency less than or equal to 100 milliseconds. Internal wiring or internal service distribution should be fiber or Ethernet (CAT6). If coaxial cable, DEEP considers cable systems using DOCSIS 3.1 and above as capable of delivering 100 Mbps/20 Mbps service and cable systems using DOCSIS 4.0 and above as capable of delivering 100 Mbps/100 Mbps service when the cable company offers a service meeting these performance standards. In the case of inside wiring of MDUs, if the costs of internal wiring are demonstrated to be excessive, wireless will be allowed.

A Project that will provision service via end-to-end fiber-optic facilities to each end-user premises is preferred and will be the default winner if there are competing proposals for the same location or locations that satisfy all other requirements of the Program. Any project that does not use end-to-end fiber-optic architecture must ensure that the network built by the project can easily scale speeds over time to meet the evolving connectivity needs of households and businesses and support the deployment of 5G, successor wireless technologies, and other advanced services.

Aerial Infrastructure Deployment Requirements

All subgrantees will be required to uphold best industry practices as a part of this grant program. These practices include, but are not limited to the following:

1. All wireline attachments will adhere to NESC and SPA labeling requirements on each attachment.
2. All wireline attachments will comply with NESC safety and compliance standards regarding material and hardware use, distance between attachments, height compliance and any and all other compliance standards.

3. All wireline attachments using the temporary attachment process will comply with all PURA requirements, including but not limited to those set forth in Docket No. 18-04-20RE01 and to SPA and ILEC requirements in their respective wireline agreements.

Universal Coverage

It is DEEP's goal to progress toward the universal availability of high-performance internet for all those living, learning, and working in the State of Connecticut. Therefore, DEEP encourages Applicants to include underserved locations that are otherwise difficult to service because of geography and/or distance to telecommunications infrastructure in proximity to their Project Area. DEEP reserves the right to request adjustments to a proposed Project Area after submission to meet this goal.

Matching Contributions

Each Applicant shall provide matching funds of at least twenty-five percent (25%) of project costs. Contributions above twenty-five percent (25%) will be scored higher.

Waiver

In some cases, a match requirement could deter participation in the Program by small and non-traditional providers, in marginalized or low-income communities, or could threaten affordability (i.e., if an Applicant seeks to offset the cost of a substantial match through higher end user prices). In order to be considered for a waiver, an Applicant must submit documentation supporting their eligibility under one of the following categories:

1. Distressed Municipalities – Entire match waived if at least seventy-five percent (75%) of the addresses the Project proposes to serve are located in one or more Distressed Municipalities (current or within five years subsequent to the date of the determination that such municipality fails to meet such thresholds).
2. An Applicant may submit a request that describes other special circumstances underlying the request and explain how a waiver would serve the public interest and effectuate the purposes of the Program. Projects located in areas with low or moderate income, high unemployment, high poverty, or economic distress that do not qualify for the above are encouraged to seek a waiver. In these cases, DEEP retains the discretion to waive any amount of the match, including up to the full twenty-five percent (25%) requirement.

Matching Documentation

Applicant must provide documentation to DEEP sufficient to validate the availability of matching funds. Examples of appropriate documentation may include: a letter of credit; a letter confirming funds from a bank; a board resolution committing funding; or loan documentation. If the application has additional financial partners contributing to the matching funds, the application must also identify the financial partner(s) and document the amount and availability of each partner's financial match, including grant commitment letters or agreements, as applicable.

Affordability

Affordable Service Plans

DEEP will consider whether the broadband service options offered by an Applicant will be affordable to their target markets in the proposed service area. Applicants must provide the following information:

- A description of any specific activities, programs, introductory pricing, or other promotions that they plan for the Project Area to overcome any barriers to adoption, and metrics by which they can determine the success of the initiatives.
- A description of efforts included in the project aimed at ensuring low to moderate income households in the Project Area will have sustained and affordable access to speeds at or above 100 Mbps/100 Mbps.
- A description of the service plan prices resulting from proposed projects, including fees, taxes, equipment rentals, contract lengths, and non-promotional pricing.
- Whether a Project would charge connection costs associated with serving locations long distances away from telecommunications infrastructure.
- An explanation for why the Applicant believes the selected strategies will be effective.
- If applicable, a communications plan to disseminate information about the proposed project in the communities it will serve.

Affordable Connectivity Plan

Service providers must participate in the Affordable Connectivity Program (ACP) (if the program is active) and are committed to participating in any comparable federal subsidy program, as applicable. In addition to participation in the ACP, applications proposing a service plan with speeds above 100 Mbps/20 Mbps to those eligible for the ACP at a price that is fully subsidized under the ACP will be more competitive.

Project Sustainability

Proposals in applications must incorporate a viable strategy that extends beyond initial investment to maintain, repair, and upgrade networks. Thus, proposals must include a sustainability model or long-term plan beyond the period of performance (December 31, 2026). This should address the continued operation of networks in the absence of future federal funding.

Tribal Government Consent and Service Status Confirmation

An Applicant who proposes to provide service on Tribal lands, as identified in the Project Area, must obtain a Certification of Consent from the appropriate Tribal office. This Tribal office should be the assigned authority to make broadband-related decisions as designated by the Tribal Government (e.g., Tribal broadband, information technology, or regulatory office). The Tribal office must also note whether the Project Area is underserved, and how that determination was made. The statement must be provided on Tribal letterhead or by an official email. Any Applicant that fails to provide a certification of consent and confirmation of (or underserved status) will be deemed incomplete.

Application Details

Eligible Project Areas

The Awardee's proposed network must be able to provide broadband service to all, or nearly all, underserved location(s) in the Project Area at the speeds and prices defined in the application. Otherwise, the Applicant must explain why any underserved location in the Project Area is being left out. An explanation lacking strong merit may adversely impact the consideration received during the review process.

The following project types are permitted, and preference will be given in the order listed if multiple applications are received for or within the same municipality and/or census block:

1. Projects proposing service to 100% of underserved locations in one or more municipalities
2. Projects proposing service to 100% of underserved locations in one or more census blocks
3. Projects proposing service to an area in which not less than eighty percent (80%) are underserved locations as determined by the eligible sources of data described below

Projects proposing service to project areas as described in scenarios 1 and 2 above may build out service to additional locations in the project area so long as no less than eighty percent (80%) are underserved locations as determined by the eligible sources of data described below. In Distressed Municipalities, no less than fifty percent (50%) may be underserved locations.

Also note that, for purposes of the Connected Communities Grant Program:

- Non-standard installations are considered underserved locations for the purposes of this Program. Projects must define what comprises a non-standard installation and identify any such locations in their Project Area. The application should include a completed Nonstandard Installation Cost Form to provide estimates of nonstandard installation costs as well as whether the Applicant already has a customer agreement in place to serve particular nonstandard installation locations.
- Applicants are encouraged to identify Multi-Dwelling Units in their Project Area and coordinate with the building owner(s) to evaluate any inside wiring issues, which may be considered for funding on a case-by-case basis. If such cases are identified, Applicants must include details on the specific issue(s) and proposed solution along with a Memorandum of Understanding (MOU) dated in 2023 or 2024 between the ISP and property owner(s).

If an Applicant is proposing multiple Project Areas in a single application for funding, the proposed Project Areas should be either contiguous with each other, mutually contiguous with served areas, or logically or financially grouped such that completing them as a single project is advantageous.

Middle mile buildout is allowed to the extent that it supports new and/or improved last-mile service. An application proposing middle mile expansion may be permissible if it targets multiple discrete areas, that may not be perfectly adjacent/contiguous, but may still have a rational network plan involving the deployment of targeted middle mile/laterals to efficiently join the Project Areas back to a single point of

interconnection. That interconnection point may itself be in an already served area.

Data to Substantiate Underserved Areas

In determining what may constitute an underserved area, Applicants are required to first consult the FCC National Broadband Map as of the application release date but may utilize the additional resources listed in the table below to offer a holistic justification that an area has critical need for broadband infrastructure. Applicants must explain why the communities they have identified to serve have a critical need related to internet access, affordability, reliability, and/or consistency.

Other Data Source	Description
Connecticut State Broadband Availability Map	Availability data shows unserved and underserved locations in Connecticut (for purposes of this program, underserved locations inclusive of those locations labeled unserved) based on the Office of Policy and Management's data collection process started in March of 2022 with the cooperation of internet service providers in the state.
American Community Survey (ACS)	The ACS publishes data on computer and internet use which includes broadband access data in communities and their access to devices.
Survey Data	Involve direct input from end-users regarding the speeds, technologies, and other performance features of their broadband service. DEEP encourages Applicants to provide survey-based data, especially if the maps may potentially label an area as "served" when in fact part of the Project Area is underserved.
Speed Test Data	Speed test data is helpful to support other data sets. Speeds are influenced by several factors, some of which do not reflect the available network type and capacity (e.g., subscribed level of service).

Distressed Municipalities	Updated annually, the Distressed Municipalities' lists identify the state's most fiscally and economically distressed municipalities and are used by state agencies to target funds for needs which may include housing, insurance, open space, brownfield remediation and economic development programs, among others.
Other Data	<p>Applicants may also propose other datasets including but not limited to documentation of existing broadband internet service performance, federal and/or state collected broadband data, nonstandard installation data, interviews with community members and business owners, reports from community organizations.</p> <p>Datasets utilizing information from community members and business owners and reports from community organizations should include strong evidence.</p> <p>Examples of strong evidence include:</p> <ul style="list-style-type: none"> • Evidenced report of inside wiring issues • An analysis showing that the average cost of a service plan (of at least 100 Mbps/100 Mbps) compared to the average income level in a proposed project area is significantly higher than in other areas of the state • Speed tests showing six or more broadband serviceable locations and/or MDUs using a particular technology and a single provider within a census block group are underserved • Speed tests showing MDUs are underserved as follows: <ul style="list-style-type: none"> ○ one unit for MDUs having fewer than 15 units ○ two units for MDUs of between 16 and 24 units ○ at least three units for larger MDUs

Nonstandard Installation Locations

Projects must define what comprises a non-standard installation and identify any such locations in their Project Area. Congress' Broadband Deployment Accuracy and Technology Act (DATA) defines a standard installation as a) the initiation by a provider of fixed broadband internet access service (within 10 business days of a request) in an area in which the provider has not previously offered that service, with no charges or delays attributable to the extension of the network provider; and b) includes the initiation of fixed broadband internet access service through routine installation that can be completed not later than 10 business days after the date on which the service request is submitted. Any installation that falls outside of the parameters described would be considered nonstandard installations and must be described by the Applicant. Nonstandard installations are considered underserved locations for the purposes of this Program.

To receive funding from this Program, applicants must pay for standard installation costs up to the network interface point at no cost to the end user or to DEEP. While standard installation costs must be absorbed by the Applicant at no cost to DEEP or the end user, applicants can request nonstandard installation costs that exceed the average standard installation costs be covered by this award. In this case, DEEP would only compensate additional nonstandard installation costs up until the average standard installation costs, which will be covered by the Applicant. If the application proposes to service nonstandard installation locations, the Applicant must complete the Nonstandard Installation Cost Form listing the location, the estimated cost to connect the location minus the standard installation fee, and must indicate whether the Applicant already has a customer agreement in place indicating that the resident will adopt new services if the investment is made to connect them through nonstandard installation means.

After award, awardees may request a modification of up to ten percent (10%) of the estimated nonstandard installation costs if the estimate was lower than the final cost. DEEP will evaluate each request for modification on a case-by-case basis using a means testing methodology. The Awardee will have to evidence their request for a modification with validated estimated prices and benchmarking with available industry data. Modification of grant funding amounts are subject to availability of funds remaining to the Program.

Means Testing for Non-Standard Lateral Installations

DEEP will apply eligibility criteria aligned with the Program's focus on economically distressed communities and other communities with critical need in determining eligibility for funding of non-standard installations. A Means Test will be performed using income data or property value data to ensure that the proposed nonstandard installation location is reaching targeted populations in accordance with ConneCTed Communities Program and Capital Projects Program guidance.

Income threshold

- Any location in a census tract where eighty percent (80%) of households are below eighty percent (80%) of the state median income is considered eligible.

Property value thresholds

The thresholds below apply to single-family homes.

- Category 1: If home value is below the state median home value (according to [U.S. Census Bureau data](#)), the location is considered eligible for one hundred percent (100%) of the installation cost.
- Category 2: If home value is one hundred fifty percent (150%) of the state median home value, the location is eligible for fifty percent (50%) of the installation cost.
- Category 3: Home values above one hundred fifty percent (150%) of the state median are ineligible.

A proposal may be considered eligible if it meets any of the above criteria. DEEP reserves the right to approve and fund non-standard installations at its discretion to promote the equitable distribution of funds.

Construction Timeline

All projects funded through this Program must reach substantial completion within twenty-four (24) months of the award or before December 31, 2026, whichever occurs earlier. Substantial completion is defined as the date for which the Project can fulfill the primary operations that it was designed to perform; specifically, actively marketing retail broadband services to end-user and delivering said services to end-users. At substantial completion, service operations and management systems infrastructure must be operational. This may be extended by up to six (6) months for delays not caused by the Applicant at the discretion of DEEP, but not to extend beyond December 31, 2026.

Applicants must provide a project timeline that indicates the anticipated milestones of the proposed project including those related to: contracting; engineering; pole licensing and make-ready; permitting; digital equity, digital inclusion, and affordability activities; construction and connections; and any major contingencies.

It is expected that Applicants will coordinate with DEEP to conduct initial, fifty percent (50%) complete, and one hundred percent (100%) complete site walks to ensure construction compliance with the Program requirements.

Application Requirements

The following includes a list of required materials to be described within the application form or uploaded as a required attachment. Applications that do not include the following required information will not be scored.

1. Project summary

A. Administrative Information:

- i. Applications must include the Applicant organization name, as well as all municipalities and/or other partner(s) participating in the proposal.
- ii. Applications must include contact information for a primary Point of Contact for the application who is knowledgeable about the proposed project and can answer questions. Applicants must keep DEEP informed if the Point of Contact changes the duration of the Program.
- iii. Applicants that are internet service providers must include information on company ownership and real parties of interest.
- iv. Applicants must provide a copy of the partner agreement or memorandum of understanding between partners as applicable.

B. Project Overview:

- i. A general description of the project area, why the project is needed, how the project furthers State goals and priorities what benefits the project will bring to the subscribers, and the number of households and businesses passed that will be offered service.

2. Statement on organization and experience

A. Background:

- i. Experience of the primary Applicant and any partners in providing proposed services, including, as applicable, number of years providing services, current service area, types of services offered, and service tiers with pricing.
- ii. A list of municipalities, counties, and states in which the Applicant provides broadband services, specifically those regions and municipalities located within Connecticut. If the Applicant is not currently operating in Connecticut, please state its plan and goals for entering and providing service.
- iii. Provide a list of violations of federal and state labor and employment and unfair trade practices laws; injunctions, fines, or debarment from other state or federal grant programs; any defaults, penalties, or similar in other state or federal programs (even short of debarment); any regulatory enforcement actions, penalties, notices of violation, or other disciplinary action taken by a state or federal agency for any conduct of an Applicant or contractors or subcontractors working on their behalf; and/or findings of negligence, denial of civil rights, and/or breach of contract to provide services, within the last five (5) year by the Applicant, its partner(s), and any contractors or subcontractors working on their behalf, and information about the status of such actions, within the last five (5) years. Include the court or agency name, case caption, and docket number.

B. Personnel:

- i. Outline key staff (e.g., project manager, engineer, CFO, marketing director) who will be responsible for carrying out project implementation and define their respective roles in sustaining this project long term. Please discuss the specific qualifications and experience from projects similar to this project for the key team members. Key team members are expected to be committed for the duration of the project. Replacement of key team members will not be permitted without prior consultation with and approval of DEEP. Applicants must also include an organizational chart showing the proposed project team who will execute and manage this project, including all key team members.
- ii. Resumes/portfolios of individuals or subcontractors performing major duties and functions.

C. Broadband Service Provider Information:

- i. Identify which entity(s) will serve as the ISP in this project and assume primary responsibility for each of the following: Engineering design, construction, installation, maintenance, and ownership of the network to the premises in the Project Area.
- ii. The Applicant partner providing broadband service is encouraged to provide professional references, including name, email address and current phone number from recent projects similar in scope and size to this application.

3. Project Details

Applicants must provide and certify the following information as accurate to the date of submission:

- A. A narrative on deployment strategy, including:
 - i. A detailed description of the deployment strategy and explanation for why the Applicant believes the selected strategies will be effective.
 - ii. If applicable, any plans to provide nondiscriminatory access to and use of its network on a wholesale basis to other providers seeking to provide broadband service to end-user locations, at just and reasonable wholesale rates for the useful life of the subsidized network assets.
- B. A detailed project timeline that shows evidence that the Applicant has considered the twenty-four (24) month construction deadline (or December 31, 2026, whichever occurs earlier) for project completion as well as assumptions regarding equipment supply chain.
- C. A breakdown of major project milestones and associated cost of each milestone.
- D. A narrative on affordability, including:
 - i. A description of any specific activities, programs, introductory pricing, or other promotions to overcome barriers to adoption; metrics to determine the success of the initiatives; and any communications plan to publicize information about the proposed project in the communities it will serve.
 - ii. A description of the pricing packages that will be available to end users passed with the network, including fees, taxes, equipment rentals, contract lengths, and non-promotional pricing; the speeds available at that price; any differences between residential and business property pricing; and whether a Project would charge connection costs associated with non-standard installations.
 - iii. Justification of affordability for lowest speed tier.
 - iv. A description of any restrictions or costs associated with end user service including typical connection fees or extra costs for excessive drop length.
- E. A narrative on community benefit, including:
 - i. Project area demographics including whether the project is located in an area of low or moderate income, high unemployment, high poverty, or economic distress such as those designated as Distressed Municipalities by the Connecticut Department of Economic and Community Development.
 - ii. Anticipated regional impact, including but not limited to whether the project is coordinated with or builds upon other nearby projects, supports network resiliency, and/or addresses a region of the State with high need but relatively few funded projects.
 - iii. The project's anticipated impact to the local economy and community that explains the specific short-, medium-, and long-term impacts of the proposed plan, including a description of efforts aimed at ensuring low to moderate income households in the project area will have sustained and affordable access to speeds at or above 100 Mbps/100 Mbps.

- F. Any letters of support, including but not limited to the required formal letter of support from leadership of the affected communities, such as the First Selectman, Mayor, Town Manager, Council, and/or other appropriate government official.
- G. For any Applicant proposing to provide service on Tribal lands, a Certification of Consent from the appropriate Tribal office.
- H. For MDU Projects: MOU dated in 2024 between ISP and property owner(s)
- I. Additional workforce protections that Applicant intends to utilize in the deployment of the project, if any.
- J. Written assurance in the form of an affidavit that the Applicant intends to be in compliance with the following requirements:
 - i. That no portion of the proposed project has already commenced construction or build out.
 - ii. That the Applicant (or relevant partner ISP) participates in the Affordable Connectivity Program (if active) and are committed to participating in any future federal subsidy program, as applicable.

4. Project Budget

- A. A detailed project budget with proposed matching contributions, including derivation of costs and documentation of cost estimates, delineated by each service area. The budget should include a descriptive name for each capitalized item or group of items in each category whether grant eligible or not.
- B. Documentation to DEEP sufficient to validate the availability of matching funds. Examples of appropriate documentation may include: a letter of credit; a letter confirming funds from a bank; a board resolution committing funding; or loan documentation. If the application has additional financial partners contributing to the matching funds, the application must also identify the financial partner(s) and document the amount and availability of each partner's financial match, including grant commitment letters or agreements, as applicable.
- C. The most recent three years of audited financial statements. If audited statements are not available, Applicants may submit the most recent two years of financial statements along with an explanation of why audited statements are not available. If the Applicant's organization is comprised of more than one entity, one member of a partnership with a material role in the financial viability of project must meet the audited financials requirement. A material role in the project includes instances such as providing some or all matching funds for the project or underwriting the cost to construct the network.
- D. Additional information to demonstrate financial capacity and sustainability:
 - i. Anticipated timing of project costs
 - ii. Additional costs required over time, that are ineligible for grant funds
 - iii. Anticipated timing of other sources of funds
 - iv. Estimated operating costs over time
 - v. Timing of broadband service availability to subscriber locations, estimated subscription rates over time and estimated revenue over time
 - vi. Debt and capital lease payments

vii. Ongoing operating subsidies and the associated sources

5. Data Submission Requirements

- A. Compliance with state broadband mapping initiative per Conn. Gen. Stat. §16-330, if applicable.

6. Technical Report

Note: All GIS files must be in Shapefile, kml, geopackage, geodatabase file format.

- A. Applicants must submit a high-level network design summary. At a minimum, this design must include any fiber routes, interconnection with existing networks, method of deployment (aerial/buried/hybrid), and all locations to be served. Applicants are encouraged to include additional information, especially for new networks or significant expansions of existing networks. The design must clearly identify the fiber routes and must include fiber strand count as an attribute. The design submitted, while not final, must demonstrate that the project is sufficiently advanced that it can proceed to construction in a timely fashion. The narrative must include a description, planned technology (e.g., GPON (Gigabit Passive Optical Network), EPON (Ethernet Passive Optical Networks), Active Ethernet, etc.), proposed fan-out if using a passive optical network (PON) technology, network demarcation points, planned locations for points of interconnection with middle-mile networks, the number of fiber miles if applicable, and any proposed locations for points of presence/network connections for last mile service delivery.
- B. A map of the proposed Project Area(s).
- C. If wireless, individual GIS files depicting propagation model of the served area, location of transmitter, and locations served.
- D. The address and location ID for each location the project will serve, each location's pre-project status as underserved per the FCC National Broadband Map as of the application release date, as well as the anticipated speed to be made available for each property upon completion.
- E. An explanation of how service will reliably provide minimum download, upload speeds, and latency, as well as any relevant information regarding related factors affecting service quality which may include jitter, network availability, guaranteed throughput, a customer service level agreement, and mean time to repair.
- F. A description of design work needed for deployment (i.e., pole access, easements, etc.), including:
 - i. Any commitments to Connecticut's One-Touch Make-Ready process as outlined by PURA Docket 19-01-52RE01. Notification from the Single Party Administrator (SPA) establishing that the proposed project would qualify for OTMR must be provided with the application, if applicable.
 - ii. Any commitments to Connecticut's Pre-Engineering process as outlined by PURA Docket 19-01-52
 - iii. Any established agreements with municipalities, and/or CTDOT where appropriate, to utilize the Municipal gain on the pole for line attachment
- G. A description of any licenses and/or agreements required to construct and operate the network and the status of securing those licenses/agreements.

H. An explanation of existing networks and equipment or other forms of access to infrastructure such as utility poles, conduit, or rights of way to be used for this project.

7. Risk Management

- A. A sustainability model or long-term plan beyond the period of performance (December 31, 2026).
- B. A description of the main areas of risk in the project and the Applicant's mitigation plan for addressing each risk. At a minimum, the following should be discussed:
 - i. Future upgrade and scalability
 - ii. Cybersecurity
 - iii. Disaster recovery and business continuity

Project Selection

Projects with higher point values will be prioritized for funding. Other proposed projects may be considered to the extent that funds are available. DEEP may also consider submitted applications, in whole or part, for future funding opportunities including and especially funds from the anticipated the Bipartisan Infrastructure Law's [Broadband, Equity, Access, and Deployment \(BEAD\) Program](#).

Scoring Criteria

A. Experience and Qualifications (up to 23 points)

Applicants will be scored based on their demonstrated capacity to effectively support and sustain their broadband infrastructure proposal, based on a description of:

- Experience (5 points)
 - Experience and number of years providing services as an ISP
 - Experience constructing networks that provide internet services to customer locations
 - Experience providing service in Connecticut
- Scope (10 points)
 - The scope of the project and how it furthers State goals and priorities
 - Approach to completing the project, including steps to be taken from beginning to end that will provide the State with a comprehensive understanding of the process, procedural work, and timeline
 - Whether the project involves broadband networks owned, operated, or affiliated with local governments, non-profits, and/or cooperatives, and commitments to serving entire communities
- Supply Chain Management (2 points)
 - Ability to overcome supply chain issues

- Relationships with material suppliers that will enhance the Applicant's ability to procure materials and meet the construction deadlines
- Timeline (2 points)
 - Ability and firm commitment to meeting the deadline for project completion
 - Plan to overcome obstacles that may hinder on-time completion
- Professional Workforce (4 points)
 - The project's workforce meets high safety and training standards, including professional certification, licensure and/or robust in-house training
 - Prioritization in hiring of local workers and/or workers from historically disadvantaged communities
 - Direct employment of their workforce, or policies and practices in place to ensure contractors and subcontractors meet high labor standards
 - No violations of federal and state labor and employment laws within the last five (5) years

B. Performance Factors (up to 22 points)

Applications will be scored based on the project's adherence to program priorities including performance standards, appropriateness of technology, commitment to open access infrastructure, and project readiness, based on a description of:

- Network Performance (10 points)
 - A Project that will provision service via end-to-end fiber-optic facilities to each end-user premises is preferred and will be the default winner if there are competing proposals for the same location or locations that satisfy all other requirements of the Program.
 - Preference will be given to projects resulting in faster, more reliable service as follows:

Speed

100 Mbps/100 Mbps	= 0 points (required)
>100 Mbps/100 Mbps but <1 Gbps/100 Mbps	= 1 point
1 Gbps/100 Mbps to <1 Gbps/1 Gbps	= 4 points
1 Gbps/1 Gbps or greater	= 5 points

Latency

100 ms	= 0 points (required)
80 ms to <100 ms	= 1 point
60 ms to <80 ms	= 2 points
40 ms to <60 ms	= 3 points
20 ms to <40 ms	= 4 points
<20 ms	= 5 points

- Quality of service (5 points)
 - Customer service rating
 - Related factors affecting service quality including jitter, network availability, guaranteed throughput, a customer service level agreement, and mean time to repair
- Commitment to Open Access (2 points)
 - Awardees must comply with Docket 21-12-21 which addresses the coordination of telecommunications-related trenching activities to ensure the efficient deployment of broadband technologies pursuant to Public Act 21-159.
 - Additional points will be awarded based on an Applicant's offer to provide nondiscriminatory access to and use of its network on a wholesale basis to other providers seeking to provide broadband service to end-user locations, at just and reasonable wholesale rates for the useful life of the subsidized network assets. For this purpose, "just and reasonable wholesale rates" means rates that include a discount from the provider's retail rates reflecting the costs that the applicant avoids by virtue of not providing retail service to the end user location (including, for example, marketing, billing, and collection-related costs).
- Project Readiness (5 points)
 - Evidence of being prepared to begin construction within one hundred twenty (120) days following grant award
 - Commitment of proposed match sources
 - Factors related to expediency of the pole attachment process, including:
 - Applicants that commit to Connecticut's One-Touch Make-Ready process as outlined by PURA Docket 19-01-52RE01
 - Notification from the Single Party Administrator (SPA) establishing that the proposed project would qualify for OTMR must be provided with the application
 - Applicants that commit to Connecticut's Pre-Engineering process as outlined by PURA Docket 19-01-52
 - Applicants that demonstrate established agreements with municipalities, and/or CTDOT when appropriate, to utilize the Municipal gain on the pole for line attachment

C. Budget and Cost-Appropriateness (up to 25 points)

Applications will be scored based on their cost efficiency, based on a description of:

- Cost-Efficiency (15 points)
 - Proposed grant amount per underserved premise passed by the Project (for last-mile deployment) and proposed grant amount per mile of new cable or fiber plant. DEEP asks that the Applicant provide data disclosing how they arrived at their costs. Data elements may include costs associated with planning, engineering, construction, and materials, etc.

- Factors that may make certain areas more difficult and costly to serve, such low density, extensive make-ready costs or unavoidable underground construction, to the extent that the applicant is able to provide evidence for such conditions.
- How the Applicant's contribution to the project offers the best value to the State and its residents.
- Matching Contribution (10 points)
 - Financial contributions above the minimum match percentage for the project as follows (Applications receiving a match waiver will receive the full 10 points for this section):

Percent Above Match

≤10%	= 2 points
>10% and ≤20%	= 4 points
>20% and ≤30%	= 6 points
>30% and ≤40%	= 8 points
>40%	= 10 points

D. **Community Impact** (up to 30 points)

Applications will be scored on their benefits to and coordination with the communities they propose to serve, especially low-income and economically distressed communities, based on a description of:

- Community Benefit (15 points)
 - Evidence of substantive community support, including documentation of local involvement in non-financial aspects of the project and written support from residents and businesses that describes their specific needs and anticipated benefits
 - The project's location in an area of low or moderate income, high unemployment, high poverty, or economic distress such as those designated as Distressed Municipalities by the Connecticut Department of Economic and Community Development
 - Infrastructure that will provide greater regional benefit and support network resiliency
 - How the project addresses a region of the State with high need but relatively few funded projects
 - Approach to assisting end users with cybersecurity, including informational offerings to end users to assist them with securing their home network
- Affordability (15 points)
 - A description of any specific activities, programs, introductory pricing, or other promotions that they plan for the project area to overcome any barriers to adoption, and metrics by which they can determine the success of the initiatives
 - A description of efforts included in the project aimed at ensuring low to moderate income households in the project area will have sustained and affordable access to speeds at or above 100 Mbps/100 Mbps
 - A description of the service plan prices resulting from proposed projects, including fees, taxes, equipment rentals, contract lengths, and non-promotional pricing
 - Whether a Project would charge connection costs associated with non-standard installations

- An explanation for why the Applicant believes the selected strategies will be effective
- A communications plan to publicize information about the proposed project in the communities it will serve
- Service providers must participate in the Affordable Connectivity Program (if active) and are committed to participating in any comparable federal subsidy program, as applicable. Applications proposing a service plan with speeds above 100 Mbps/20 Mbps to those eligible for the ACP at a price that is fully subsidized under the ACP will be more competitive.

Other Considerations

In reviewing data submitted in an application DEEP may consider the following:

- Adherence to program goals and priorities.
- Information about user experiences on the current network, to the extent available, such as whether users actually receive internet service at or above speed thresholds at all hours of the day, or whether factors other than speed such as latency or jitter, or deterioration of the existing connections make their user experience unreliable.
- Whether the existing service is being delivered by legacy technologies, such as copper telephone lines or early versions of cable system technology.
- The financial sustainability of the project under adverse assumptions such as delays in project completion, lower-than-expected take rate or revenue, and higher-than-expected initial capital or ongoing operating costs.
- Other available data including but not limited to documentation of existing broadband internet service performance, and federal and/or state collected broadband data.
- Violations of federal and state unfair trade practices laws; injunctions, fines, or debarment from other state or federal grant programs; any defaults, penalties, or similar in other state or federal programs (even short of debarment); any regulatory enforcement actions, penalties, notices of violation, or other disciplinary action taken by a state or federal agency for any conduct of an Applicant or contractors or subcontractors working on their behalf; and/or findings of negligence, denial of civil rights, and/or breach of contract to provide services, within the last five (5) year by the Applicant, its partner(s), and any subcontractors.

Reporting and Compliance

Post Award Obligations

Upon receipt of award, the awarded entity should expect to adhere to the following post-award obligations as outlined by DEEP:

- 1) Service will be available to all residents in a Project Area within 2 years of the receipt of funds or December 31, 2026, whichever is sooner.
- 2) The resulting internet service provider will take measures to adequately market new service to residents and businesses in the Project Area.

Reporting

Awardees will be required to cooperate with DEEP's federal reporting obligations for ARPA funding. Awardees should expect to comply with requirements of other applicable federal statutes, regulations, and executive orders applicable to recipients of federal funds used by DEEP for awards made under CPF. Applicants should consider how and whether certain aspects of these requirements may apply.

Therefore, Awardees will be required to submit monthly, quarterly and annual progress reports through to the completion of the Project. Awardees should expect to provide information on project information and status including, but not limited to:

- Start date for construction (Planned/Actual)
- Date of the initiation of operations (Planned/Actual)
- Date for completion of construction (Planned/Actual)
- Project location (for broadband geospatial location data)
 - Must include FCC Fabric IDs to identify locations
- Information provided in the application such as, speeds/pricing tiers to be offered, technology to be deployed, miles of fiber, cost per mile, and cost per passing
- Pre-construction drawings
 - Must include the conceptual network design
 - Must include speed, technology, and other related information for each served location
 - Must be in GIS, AutoCAD, MicroStation, or Google Earth format
- Post-construction as-built drawings
 - Must include any 'in-field' modifications to the pre-construction drawings
 - Must be in GIS, AutoCAD, MicroStation, or Google Earth format
- Network Performance
 - The Applicant will perform post-construction benchmark speed testing to verify the newly constructed locations upload and download proposed speeds have been attained.
 - A summary report will provide details on the overall process and the results of the performance test of the newly constructed network.
- Monthly Progress Reports

- At the end of each month, provide a brief summary of the construction progress made the current month, anticipated progress for the next month, and any scheduling or safety concerns.

Performance indicators and project data on at least a quarterly basis including, but not limited to:

- Information on the number and types of locations served, speeds and latency, maximum speeds offered and delivered
- Confirmation of participation in the FCC's Affordable Connectivity Program (ACP), as applicable.
- Progress toward project completion and any milestones reached

Final Report

Successful applicants will be required to provide a final report three months after project completion. This final report will outline the activities that took place during the project, what facilities were installed and their service capabilities, total costs for the project, and a map detailing the location of infrastructure and equipment that was installed. The report will also include a summary of how the project addressed affordability within the service area. For providers, verification of participation in ACP will be required with the final report, as applicable.

Upon completion of the project and in addition to the final report, successful applicants must submit an affidavit stating that speed thresholds are being met at the Project Area, as well as location-based speed test documentation. Awardee must also submit updated service and availability data to the Office of Policy and Management per PA 21-159 as part of the final report. DEEP, or its successors or assigns, reserves the right to conduct location-based speed tests at locations to be served through this grant program. If the speed tests do not reflect the upload and download speeds committed to under this Program, DEEP reserves the right to compel refunds of awarded funds.

The final 10% of grant funds will be held until the final report and affidavit have been submitted to and reviewed by DEEP with any questions or concerns having been addressed by the Applicant to DEEP's satisfaction.

Post-Award Monitoring

Awardees of grant funds must comply with post-award monitoring and reporting requirements to maintain continued eligibility for disbursement of grant funds. Awardees are responsible for active technical, financial, and project management of awarded projects by contracting with well-qualified professional engineers and managers. Awardees must retain professional management expertise for the project design and construction phases and for ongoing oversight of operations.

Disbursement of grant funds will require submission of proof of expenditures on eligible costs for review prior to reimbursement. Awardees must cooperate with field audits performed by Program contractors to verify completeness and quality and must submit as-built network documentation prior to final close-out of the grant.

Labor Standards

Projects must comply with all applicable federal labor laws and regulations, and with all requirements for State and local laws and ordinances to the extent that such requirements do not conflict with federal laws.

Among other requirements contained in 2 C.F.R. 200, Appendix II, all contracts made by an Awardee in excess of one hundred thousand dollars (\$100,000) that involve employment of mechanics or laborers must include a provision for compliance with certain provisions of the Contract Work Hours and Safety Standards Act, 40 U.S.C. 3702 and 3704, as supplemented by Department of Labor regulations (29 C.F.R. Part 5).

To assist with ensuring a binding commitment to strong labor standards and protections for the project workforce, each contract for the construction, remodeling, refinishing, refurbishing, rehabilitation, alteration or repair of broadband infrastructure, and each subcontract thereunder, shall contain the following provision: “The wages paid on an hourly basis to any person performing the work of any mechanic, laborer or worker on the work herein contracted to be done and the amount of payment or contribution paid or payable on behalf of each such person to any employee welfare fund, as defined in subsection (i) of Conn. Gen. Stat. § 31-53, shall be at a rate equal to the rate customary or prevailing for the same work in the same trade or occupation in the town in which such project is being constructed. Any contractor who is not obligated by agreement to make payment or contribution on behalf of such persons to any such employee welfare fund shall pay to each mechanic, laborer or worker as part of such person's wages the amount of payment or contribution for such person's classification on each pay day.”

Applicants that need assistance with determining the appropriate classification of labor or the appropriate prevailing rate of wages for the project should contact the Wage and Workplace Standards Division at the Connecticut Department of Labor. After a project commences, Awardees must submit Certified Payrolls with a statement of compliance monthly to DEEP. Certified Payroll will be submitted using form WWS-CPI located on the Connecticut Department of Labor Website: Certified Payroll Form WWS - CPI (state.ct.us)

Compliance with Federal Funding Obligations

ConneCTed Communities grants will use funds under the American Rescue Plan Act and awardees must comply with 2 CFR Part 200 and ARPA guidance documents that are available on the Department of the Treasury website, <https://home.treasury.gov/policy-issues/coronavirus/assistance-for-state-local-and-tribal-governments/capital-projects-fund>.

Environmental Checklist

Generally, NEPA does not apply to projects funded by the Capital Projects Fund. Prior to funding a Capital Project, awardees may complete an Environmental Checklist to determine whether certain environmental laws apply. Projects funded by CPF may still be subject to NEPA review if they are also funded by other federal financial assistance programs.

Reservation of Rights

DEEP reserves the right under this grant program to issue as many or as few grants to as many or as few Applicants as it determines fit.

DEEP reserves the right to enter into negotiations with an Applicant to modify submitted grant proposals, or to work with applicants to address deficiencies or overlaps in applications.

DEEP reserves the right to redirect submitted applications to future application windows or other DEEP programming more suitable to fund the proposed project or when available funds for this application window are exhausted.

Awards are subject to the appropriation and availability of Federal and/or State funds. If the funds are not appropriated as anticipated, or they are otherwise unavailable, DEEP reserves the right to reduce or terminate any grant agreements upon written notice to the Grantee.

Mandatory Provisions

1. Standard Contract Provisions: Awardees will be required to execute a standard grant agreement with DEEP in a form that is consistent with the agreement linked in the attachments below.
2. Assurances: By submitting a proposal in response to this request for Applications, an Applicant implicitly gives the following assurances:
 - a. Collusion. The Applicant represents and warrants that the Applicant participate in any part of the Application development process and had no knowledge of the specific contents of the Application prior to its issuance. The Applicant warrants that no agent, representative, or employee of the State participated directly in the preparation of the Application and also represents and warrants that the submitted application is in all respects fair and is made without collusion or fraud.
 - b. State Officials and Employees. The Applicant certifies that no elected or appointed official or employee of the State has or will benefit financially or materially from any contract resulting from this Application. The Agency may terminate a resulting contract if it is determined that gratuities of any kind were either offered or received by any of the aforementioned officials or employees from the Applicant or its agents or employees.
 - c. Competitors. The Applicant assures that the submitted proposal is not made in connection with any competing organization or competitor submitting a separate proposal in response to this request for Applications. No attempt has been made, or will be made, by the Applicant or any other organization or competitor to submit, or not submit, an application for the purpose of restricting competition. The Applicant further assures that the proposed costs have been arrived at independently, without consultation, communication, or agreement with any other organization or competitor for the purpose of restricting competition. Nor has the Applicant knowing disclosed the proposed costs on a prior basis, either directly or indirectly, to any other organization or competitor.
 - d. Press Releases. The Applicant agrees to obtain prior written consent and approval of DEEP for press releases that relate in any manner to this request for Applications or any resultant contract.
3. Preparation Expenses: Neither the State nor DEEP shall assume any liability for expenses incurred by an Applicant in preparing, submitting, or clarifying any proposal submitted in response to this request for Applications.
4. Proposed Costs: No cost submissions that are contingent upon a State action will be accepted. All proposed costs must be fixed through the entire term of the contract.
5. Changes to Proposal: No additions or changes to the original proposal by the Applicant will be allowed after submission, except upon request by DEEP.
6. Supplemental Information. Supplemental information will not be considered after the deadline submission of proposals, unless specifically requested by DEEP. DEEP may ask an Applicant to give demonstrations, interviews, oral presentations or further explanations to clarify information contained in an application. Any such demonstration, interview, or oral presentation will be at a time selected and in a place provided by DEEP. At its sole discretion, DEEP may limit the number of Applicants invited to make such a demonstration, interview, or oral presentation and may limit the number of attendees per Applicant.

7. Presentation of Supporting Evidence. If requested by DEEP, an Applicant must be prepared to present evidence of experience, ability, data reporting capabilities, financial standing, or other information necessary to satisfactorily meet the requirements set forth or implied in this Application or its proposal. DEEP may make onsite visits to an operational facility or facilities of an Applicant to further the Applicant's abilities to perform the duties required by this request for Applications.
8. Request For Applications Is Not An Offer. Neither this request for Applications nor any subsequent discussions shall give rise to any commitment on the part of the State or DEEP or confer any rights on any Applicant unless and until a grant agreement is fully executed by the necessary parties. The grant agreement will represent the entire agreement between the Applicant and DEEP and will supersede all prior negotiations, representations or agreements, alleged or made, between the parties. The State shall assume no liability for costs incurred by the Applicant for payment of services under the terms of the contract until the successful Applicant is notified that the agreement has been accepted and approved by the DEEP and, if required, by the Attorney General's Office.
9. Rights Reserved to the State: By submitting a proposal in response to this request for Applications, an Applicant implicitly accepts that the following rights are reserved to the State:
 - a. Timing Sequence. The timing and sequence of events associated with this Application shall ultimately be determined by DEEP.
 - b. Amending or Canceling Application. DEEP reserves the right to amend or cancel this request for Applications on any date and at any time, if DEEP deems it to be necessary, appropriate, or otherwise in the best interests of the State.
 - c. No Acceptable Proposals. In the event that no acceptable proposals are submitted in response to this Application, DEEP may reopen the Application process, if it is determined to be in the best interests of the State.
 - d. Award and Rejection of Proposals. DEEP reserves the right to award in part, to reject any and all proposals in whole or in part, for misrepresentation or if the proposal limits or modifies any of the terms, conditions, or specifications of this request for Applications. DEEP may waive minor technical defects, irregularities, or omissions, if in its judgment the best interests of the State will be served. DEEP reserves the right to reject the proposal of any Applicant who submits a proposal after the submission date and time.
 - e. Sole Property of the State. All proposals submitted in response to this request for Applications are to be the sole property of the State.
 - f. Grant Agreement Negotiation. DEEP reserves the right to negotiate the grant agreement for all or any portion of the services contained in the Application. DEEP further reserves the right to negotiate a grant agreement with one or more Applicants for such services. After reviewing the scored criteria, DEEP may seek Best and Final Offers (BFO) on cost from Applicants. DEEP may set parameters on any BFOs received.
 - g. Clerical Errors in Award. DEEP reserves the right to correct inaccurate awards resulting from its clerical errors. This may include, in extreme circumstances, revoking the awarding of a contract already made to an Applicant and subsequently awarding the contract to another Applicant. Such action on the part of the State shall not constitute a breach of contract on the part of the State since the contract with the initial Applicant is deemed to be void ab initio and of no effect as if no contract ever existed between the State and the Applicant.
 - h. Sovereign Immunity. Nothing in this request for Applications is to be construed as a modification, compromise or waiver by the State of any rights or defenses of any immunities

provided by Federal law or the laws of the State to the State or any of its officers and employees, which they may have had, now have or will have with respect to all matters arising out of the request for Applications or a contract award.

- i. **Termination of Grant Agreement.** Any grant agreement resulting from this Application may be terminated whenever DEEP makes a written determination that such determination is in the best interests of the State.
10. **Freedom of Information, Conn. Gen. Stat. § 1-210:** The Freedom of Information Act (FOIA) requires the disclosure of documents in the possession of the State upon request of any citizen, unless the content of the document falls within certain categories of exemption, as defined by Conn. Gen. Stat. § 1-210(b). Applicants are generally advised not to include in their proposals any confidential information. If the Applicant indicates that certain documentation, as required by this request for Applications, is submitted in confidence, the State will endeavor to keep said information confidential to the extent permitted by law. The Applicant should mark such information as **CONFIDENTIAL** prior to submission and reference the particular section where the information is located. For each section so referenced, the Applicant must provide an explanation and rationale sufficient to justify an exemption of the information under FOIA. Additionally, the Applicant must submit a redacted copy of its proposal if it contains such information.

The State has no obligation to initiate, prosecute, or defend any legal proceeding or to seek a protective order or other similar relief to prevent disclosure of any information pursuant to a FOIA request. The Applicant has the burden of establishing the availability of any FOIA exemption in any proceeding where it is an issue. While an Applicant may claim an exemption to the State's FOIA, the final administrative authority to release or exempt any or all material so identified rests with the State. In no event shall the State or any of its employees have any liability for disclosure of documents or information in the possession of the State and which the State or its employees believe(s) to be required pursuant to the FOIA or other requirements of law.

11. **Conflict of Interest Disclosure Statement:** Applicants must include a disclosure statement concerning any current business relationships (within the last three (3) years) that pose a conflict of interest, as defined by Conn. Gen. Stat. § 1-85. A conflict of interest exists when a relationship exists between the Applicant and a public official (including an elected official) or State employee that may interfere with fair competition or may be adverse to the interests of the State. The existence of a conflict of interest is not, in and of itself, evidence of wrongdoing. A conflict of interest may, however, become a legal matter if an Applicant tries to influence, or succeeds in influencing, the outcome of an official decision for their personal or corporate benefit. In the absence of any conflict of interest, an Applicant must affirm such in the disclosure statement. Example: “[name of Applicant] has no current business relationship (within the last three (3) years) that poses a conflict of interest, as defined by Conn. Gen. Stat. § 1-85.”

Resources

1. [Capital Projects Fund Guidance for States, Territories, and Freely Associated States](#)
2. [Coronavirus Capital Projects Fund Compliance and Reporting Guidance](#) (December 2022)
3. [Coronavirus Capital Projects Fund Frequently Asked Questions](#) (April 28, 2022)
4. [Treasury's Coronavirus Capital Projects Fund Environmental Checklist](#)

Application Package

An application package containing additional attachments will be made available on DEEP's website to facilitate the application process. These forms may include the scoring rubric, an application checklist, a location data submission template, a budget template, a nonstandard installation cost template, and a sample grant agreement.

Definitions

Broadband; Broadband Service: The term “broadband” or “broadband service” has the meaning given the term “broadband internet access service” in Section 8.1(b) of title 47, Code of Federal Regulations, or any successor regulation, meaning it is a mass-market retail service by wire or radio that provides the capability to transmit data to and receive data from all or substantially all internet endpoints, including any capabilities that are incidental to and enable the operation of the communications service, but excluding dial-up internet access service. This term also encompasses any service that the Federal Communications Commission finds to be providing a functional equivalent of the service described in the previous sentence or that is used to evade the protections set forth in this part.

Broadband Serviceable Location: The terms ‘location’ and ‘broadband serviceable location’ mean a business or residential location in Connecticut at which fixed broadband Internet access service is, or can be, installed.

Mean Time to Repair (MTTR): MTTR refers to the average amount of time it takes for a system to be repaired and back to full operational capacity. This accounts for the time needed to notify a technical team, diagnose the issue, fix the issue, and allow the equipment to cool down and operate as intended.

Memorandum of Understanding: A document that describes the broad outlines of an agreement that two or more parties have reached. For the purpose of this Program, the MOU shall outline the agreement between the Internet Service Provider and the property owner(s).

Multi – Dwelling Unit (MDU): A multi-dwelling unit is defined as a building with two or more residential rental units, which includes but is not limited to apartment buildings, condominiums, mobile home parks, trailer courts, or similar types of multiple dwelling unit arrangements on one parcel of land. For the purpose, of this Program, only proposals for MDU projects with 4+ units will be considered. Please note that recipients will be required to provide latitude/longitude information that conforms with location information in the FCC's Broadband Serviceable Location Fabric and should report multiple housing units in a single structure in a single record with a single latitude/longitude consistent with the data in the Fabric.

While the Census Bureau does not classify group quarters, such as college dormitories, as housing units, the FCC (Federal Communications Commission) has determined to include group quarters in the definition of residential structures, which is a departure from the previously used definitions, because they believe this will be more consistent with the intention of the Broadband DATA Act.

Network Interface Point: the physical point where the broadband service provider's public network ends and a customer's personal network begins (this includes equipment owned or leased by the customer).

Underserved Location: A location that the FCC National Broadband Map shows as unserved or underserved, lacking access to reliable broadband service offered with a speed of not less than one hundred (100) Mbps for downloads, twenty (20) Mbps for uploads, and latency less than or equal to one hundred (100) milliseconds. Note that for the purposes of this Program, underserved is inclusive of locations considered 'unserved' in other federal program criteria.

Underserved Area: a grouping of locations in which the majority are underserved and/or unserved locations as determined by the FCC National Broadband Map and other eligible sources of data described herein.

Standard Installation: Congress' Broadband Deployment Accuracy and Technology Act (DATA) defines a standard installation as a) the initiation by a provider of fixed broadband internet access service [within ten (10) business days of a request] in an area in which the provider has not previously offered that service, with no charges or delays attributable to the extension of the network provider; and b) includes the initiation of fixed broadband internet access service through routine installation that can be completed not later than ten (10) business days after the date on which the service request is submitted. Any installation that falls outside of the parameters described would be considered nonstandard installations. Non-standard installations are considered underserved locations for the purposes of this Program.

Service Level Agreement (SLA): A service-level agreement is a contract between a service provider and its customers that documents what services the provider will furnish and defines the service standards the provider is obligated to meet.
