



Capital Projects Fund (CPF)
Multi-Purpose Community Facilities Program (MPCF)
Guidelines

August 2023

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1. Program Overview

The Florida Department of Economic Opportunity’s (“DEO”) mission is to advance and enable a connected economy in Florida by championing the Governor’s economic development vision and by administering state and federal programs and initiatives. These programs include broadband development to help visitors, citizens, businesses, and communities stay connected and leverage digital technologies. DEO’s Office of Broadband (“Office”) actively provides guidance and works with entities throughout the state to increase the availability and effectiveness of broadband Internet by utilizing mapping initiatives to achieve the goals set forth in the Florida Strategic Plan for Broadband (“Florida Strategic Plan”). Established by the U.S. Department of the Treasury (“Treasury”) as part of the American Rescue Plan Act of 2021 (“ARPA”) which provides funds to eligible states to carry out critical capital projects that directly enable work, education, and health monitoring, including remote options, in response to the public health emergency, the Capital Projects Fund (“CPF”) program allows eligible entities to invest in capital assets that meet communities’ critical needs in the short and long term. A key component of the CPF program is to make funding available for broadband infrastructure, especially in rural America, Tribal communities, and low-and moderate-income communities.

The State of Florida was awarded approximately \$366 million in grant funding for broadband initiatives. Broadband Internet is a critical component in Florida’s plan to build a robust and modern infrastructure throughout the state, and more specifically in areas where broadband Internet service infrastructure is not yet available. These funds are expected to encourage job creation, capital investment, and the strengthening and diversification of local economies. Through the Multi-Purpose Community Facilities (“MPCF”) subgrant program, the Office will award funds to subrecipients for the construction of or improvements to facilities designed to jointly and directly enable work, education, and health monitoring located in eligible communities with an identified critical need for the project. The availability and use of the CPF MPCF grant funds is governed by the State of Florida and Federal regulations and guidance.

2. Program Purpose

Through the CPF MPCF program, the Office aims to provide funds to subrecipients for the construction of or improvements to buildings designed to enable work, education, and health monitoring, located in eligible communities with an identified critical need. DEO will use \$86,933,757.00 of its allocated CPF funding for the program. The remaining CPF funding will be used for the Broadband Infrastructure Program and the Digital Connectivity Technology Program.

The primary objective of the CPF MPCF Program is to provide funds to subrecipients for the construction of or improvements to facilities designed to jointly and directly enable work, education, and health monitoring, located in eligible communities with an identified critical need for the project.

3. Program Schedule

DEO anticipates that eligible entities will be awarded grant funds prior to December 31, 2024, and all projects must be completed by December 31, 2026.

DEO currently estimates the following schedule relating to the CPF-MPCF projects:

Date	Milestone
June 26, 2023	Program Guidelines, Application, and Scoring Criteria posted to www.FloridaJobs.org/Broadband

Date	Milestone
July 5, 2023	Application Windows Opens
July 25, 2023	CPF MPCF Statewide Technical Assistance Webinar #1
August 16, 2023	CPF MPCF Statewide Technical Assistance Webinar #2
October 5, 2023	Application Window Closes
January 26, 2024	Awards Announced
December 31, 2026	All Projects Completed

4. Eligibility Review

4.1. Eligible Projects

Based on the CPF program and the Florida DEO MPCF program narrative guidance, eligible projects are projects that directly support work, education, and health monitoring in response to the public health emergency. When applying for the grant, applicants should ensure that the proposed multi-purpose facility is: (a) designed to directly enable work, education, and health monitoring; (b) designed to address a critical need that resulted from or was made apparent or exacerbated by the public health emergency; and (c) designed to address a critical need of the community to be served by it.

Below are some examples of projects eligible for use of CPF MPCF grant funds:

- Projects designed to construct or improve full-service community schools and provide a comprehensive academic program to their students and adult education in the community at large; health monitoring to their students and the community; and workforce training or career counseling services that provide community members with the knowledge and skills needed to engage in work, including digital literacy training and information technology programs.
- Projects designed to construct or improve libraries and provide public access to the internet for work, education, and health monitoring purposes such as offering digital skills programs and supporting community members that are looking to engage in virtual learning.
- Projects designed to construct or improve community health centers and provide, in addition to health monitoring services, a broader range of services to the communities they serve, such as access to job counseling employment services and health education classes or internship programs for medical professionals. Deploy broadband infrastructure for improving access to community health services. Promote digital connectivity technology projects that include the purchase and/or installation of devices and equipment to facilitate broadband internet access. Deploy broadband internet infrastructure or purchasing digital health devices and equipment to enable access to telehealth services.

For more information regarding eligible projects within this program, refer to: https://www.floridajobs.org/docs/default-source/community-planning-development-and-services/broadband/multi-purpose-community-centers-project-narrative-final.pdf?sfvrsn=a73654b0_2.

4.2. Eligible Applicants

Eligibility to apply for the CPF MPCF grant funding will be based on several factors; including project eligibility, as stated by the Treasury and the State of Florida and described further below. Depending on the type of eligible projects, the overall list of applicants that are eligible for grant awards include governmental

units (e.g., counties, municipalities), non-profit organizations, or private entities. Private entities can be in the form of corporations, limited liability companies, general partnerships, or limited partnerships. The eligible applicants under the categories contemplated by DEO are outlined below.

I. Workforce Education Broadband Infrastructure and Connectivity Projects:

- Eligible applicants for this type of projects include governmental units (e.g., municipalities, counties), non-profit organizations, private entities, broadband internet training institutions, law enforcement academies, nursing and critical health profession programs, state colleges and school boards, school districts, and information technology programs.

II. Community Libraries Infrastructure and Connectivity Projects:

- Eligible applicants for this type of projects include libraries.

III. Community Health Infrastructure and Connectivity Projects:

- Eligible applicants for this type of projects include governmental units (e.g., municipalities, counties), non-profit organizations, community anchor institutions, healthcare facilities, multi-purpose community centers, co-operatives, electric utilities, and private entities (such as Internet Service Providers).

4.3. Prioritization

Rural Communities with Economic Distress: Preference will be given to rural communities with demonstrated economic distress factors identified in section 288.0656(2)(c), Florida Statutes, including low per capita income, low per capita taxable values, high unemployment, high underemployment, low weekly earned wages compared to the state average, low housing values compared to the state average, high percentages of the population receiving public assistance, high poverty levels compared to the state average, and a lack of year-round stable employment opportunities. This includes the 29 Florida counties within three Rural Areas of Opportunity designated by the Governor under section 288.2656, Florida Statutes, a county under section 288.0656(2)(e), Florida Statutes, or a community designated as rural under section 288.0656(2)(e)(4), Florida Statutes.

When determining the communities to be served by the CPF MPCF program, applicants may choose to consider any available data, including, but not limited to federal and/or state collected data, such as the American Community Survey or the U.S. Department of Housing and Urban Development's Qualified Census Tracts, related to internet use, device ownership, income, poverty, health, education, and employment; interviews with community members; reports from community organizations; documentation of existing facilities providing similar or identical services to those the CPF MPCF program is intended to provide; and any other information they deem relevant.

Priority will be given to areas of the state with low to moderate incomes as identified by the U.S. Department of Housing and Urban Development (HUD) data and high unemployment rates.

4.4. Eligible and Ineligible Costs

4.4.1. Eligible costs

- Costs of repair, rehabilitation, construction, improvement, and acquisition of real property, equipment (devices and office equipment).
- Soft costs such as fixtures, equipment, and initial outfitting, design services which result in construction documents, indirect costs of construction manager, contract staff associated with developing the facility.

- Ancillary costs necessary to operationalize and put the capital assets to full use, including costs to increase broadband adoption and improve digital literacy.
- Costs associated with monitoring of and reporting on projects in compliance with Treasury requirements, including closeout costs; and
- Costs associated with collecting and measuring performance data.

4.4.2. Ineligible costs

- Pre-project development costs.
- Costs associated with completing or filing an application for the grant.
- Any expense incurred prior to the formal acceptance and execution of the grant agreement.
- Costs associated with the operations and maintenance of the facility.
- Payment of interest or principal on outstanding debt instruments.
- Fees or issuance costs associated with the issuance of new debt; and
- 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.

5. Technical Assistance

DEO staff are available to provide support throughout the application process. Applicants are strongly encouraged to attend scheduled webinars and any technical assistance opportunities provided by the DEO. Applicants can find current information about the CPF MPCF program at www.FloridaJobs.org/Broadband. Questions regarding the CPF MPCF program should be sent to Broadband@DEO.MyFlorida.com.

Technical Assistance Web Portal: The DEO maintains the following website (<https://FloridaJobs.org/Broadband>) to provide potential applicants resources and guidance on the program.

In addition, the Office will continue to host technical assistance webinars. The schedule and related links to past recordings of these webinars will be posted here (<https://FloridaJobs.org/Broadband>). In addition, the DEO will provide technical assistance throughout the CPF MPCF program through virtual meetings. Information and process will be provided in the links mentioned above.

6. Maximum Limits

6.1. Maximum Limit

\$4 million is the limit on the requested grant award amount per application. In addition, \$6 million is the limit on the cumulative grant award per applicant across awards.

6.2. Waiver

DEO reserves the right to waive the maximum limit per application and/or per applicant on a case-by-case basis. For an application to be considered for a waiver, the application should receive a combined score on the three categories of economic distress, project need and community impact of over 275 points (out of 550). Please refer to Section 8 for evaluation criteria.

7. MPCF Application Evaluation

7.1. Evaluation Process

7.1.1. Overview

The evaluation of an application to the CPF MPCF and selection of an applicant for an award will be based on the information submitted in the application including any required attachments and documentation. Failure to respond to each of the requirements in the application may be the basis for rejecting a response. DEO will accept applications for the MPCF through a competitive process that results in awards to applicants proposing projects that meet defined objectives.

All applications will undergo an initial review for eligibility and completeness, followed by a scoring review based upon the DEO scoring guidelines (as reflected herein). To maximize chances of receiving an award, applicants must be mindful of two key objectives while preparing the application:

- Level of Responsiveness: Provide all required information along with the specified attachments. Responses provided should be comprehensive, detailed, and clear.
- Grant Selection Criteria: Review this section to ensure that the application comprehensively addresses all requirements listed in the Evaluation Criteria and Consideration Factors section.

7.1.2. Responsiveness process

All applications will go through a responsiveness review to ensure each application has provided the necessary information required for further evaluation and scoring.

7.1.3. Scoring Review

Applications meeting the eligibility requirements will undergo a screening against the scoring criteria outlined herein and subsequently assigned a calculated score. The scoring criteria focuses on the following categories:

- A. Economic Distress
- B. Project Need
- C. Project Readiness
- D. Community Impact
- E. Project Budget
- F. Project Viability, Sustainability and Resiliency

This is a competitive grant application and eligibility for funding is based on scoring a minimum of 275 points out of a maximum 550 points. Based on the number of Applicants, the amounts applied for and awarded, and the score given to each application, the potential exists that not all Applicants scored as eligible for funding will be awarded funding.

8. Evaluation Criteria and Consideration Factors

8.1. Evaluation Criteria Overview

This section sets forth the specific scoring and evaluation criteria that will be used to evaluate and rank applications to potentially receive funding from the CPF MPCF program. There is no score that guarantees funding of an application. Scoring will be made on a competitive basis. Eligible Applicants must obtain a minimum evaluation score of 275 points to be considered for funding; however, this does not guarantee an

award. Only the highest scoring applications may earn funding and total applications funded will be limited based on available funds to the program.

The funding application scoring system will include weighting factors that will result in selection of grantees most likely to achieve the specific program goals.

Table 2 – Application Evaluation Criteria

Evaluation Criteria	Maximum Points (550)
A. Economic Distress	100
A.1 Level of Economic Distress within Target Community	100
B. Project Need	100
B.1 Project Justification	50
B.2 Community Support	50
C. Project Readiness	50
C.1 Reasonableness of Project Schedule	15
C.2 Engineering Design Evidence	10
C.3 Environmental and Other Permits	25
D. Community Impact	150
D.1 Benefits to Community	75
D.2 Diversity of Services/Functions	25
D.3 Accessibility	25
D.4 CareerSource Florida Local Workforce Development Board (LWDB) Partnership	25
E. Project Budget	50
E.1 Budget Narrative and Reasonableness of Cost	50
F. Project Viability, Resiliency and Sustainability	100
F.1 Financial Capacity and Sustainability	10
F.2 Facility Resiliency	50
F.3 Organization Capability and Track Record	20
F.4 Operational Sustainability and Ownership	20

To maximize chances of receiving a high score under this review, Applicants must provide complete, comprehensive, and clear responses for all sections of the application and information requested.

This is a competitive grant application and eligibility for funding is based on scoring a minimum of 275 points out of a maximum 550 points. Based on the number of Applicants, the amounts applied for and awarded, and the score given to each application, the potential exists that not all Applicants scored as eligible for funding will be awarded funding.

8.2. Evaluation Criteria Consideration Factors

The evaluation criteria below apply to both existing projects and new construction projects. There are six (6) major evaluation criteria listed below with sub-categories and consideration factors identified for each. Under each sub-category, factors are listed for consideration that will be used to assign scoring points. The Applicant should answer all questions to enable a comprehensive, detailed review and scoring of the application.

8.2.1. Economic Distress (100 points)

This criteria evaluates how the project will serve an economically distressed area including a rural area of the state, as measured by the greatest percentage difference between the metrics of unemployment, poverty, or social vulnerability of the community/county and the statewide average.

A.1 Level of Economic Distress (Maximum 100 points)	
Key Areas	Factors for Consideration
<ul style="list-style-type: none"> The project targets a community in economic distress. Demonstration of the level of economic distress in the area served by the project. 	<ul style="list-style-type: none"> ✓ Project is a Rural Area of Opportunity as designated in Section 288.0656(7)(a), Florida Statutes and/or a fiscally constrained county identified in Section 218.67, Florida Statutes. ✓ Rates for unemployment, poverty, and vulnerability index are more adverse than Florida's statewide averages. ✓ Level of low- and moderate-income persons or households in the community. ✓ Children qualifying for School Lunch Program (reported by Florida Department of Education for the NSLP).

Economic Distress Factors

Economic Factors		Maximum Points 100
1	Facility is located within Rural Area of Opportunity	20
2	Poverty rate above state average	15
3	Unemployment rate above state average	15
4	Socioeconomic Vulnerability Index above state average	15
5	Free / reduced lunch eligibility	15
6	LMI Factor (see table below)	20

Note: For those applications that address all six economic factors listed above – maximum score will be 100 points. For other applications, based on which of these six economic factors are addressed, the score will be a sub-total of points shown in the table above for each category addressed.

Low to Moderate Income Factor (LMI)

LMI Factor	Maximum Points 20

More than 55% LMI	20
Between 45.01% and 55% LMI	15
Between 35.01% and 45% LMI	10
35% or less LMI	5

8.2.2. Project Need (100 points)

The criteria in this section assess how well the Applicant makes a compelling case for this project through a project plan that is comprehensive and covers how the project targets the community's needs. In addition, this measures the level of community support within the proposed project area. Applicants who provide substantive evidence of community support will score higher.

B.1 Project Justification (Maximum 50 points)	
Key Areas	Factors for Consideration
<ul style="list-style-type: none"> • The extent to which the project meets the following criteria. <ul style="list-style-type: none"> ○ Designed to directly enable work, education, and health monitoring. ○ Designed to address a critical need that resulted from or was made apparent or exacerbated by the public health emergency. ○ Designed to address a critical need of the community to be served by the project. • Demonstration of project need in the served community. 	<ul style="list-style-type: none"> ✓ Applicant has developed a compelling narrative to justify the need for the project including approach to identify the need. ✓ Applicant used evidence such as lack of community libraries with internet access, community schools with no access to employment and work-related services, health centers with limited internet and/or private areas for telehealth appointments to justify the need. ✓ Applicant should demonstrate that the facility has the required broadband connectivity and devices including: <ul style="list-style-type: none"> ○ For existing facilities, details on current broadband connectivity at the facility and available/proposed devices. ○ For new and existing facilities, details on whether Applicant has initiated discussions with Interest Service Providers to secure broadband connection to the facility.

B.2 Community Support (Maximum 50 points)	
Key Areas	Factors for Consideration
<ul style="list-style-type: none"> • The extent to which the project need is demonstrated through community support. • The extent to which Local Technology Planning Teams and other surveys 	<ul style="list-style-type: none"> ✓ Evidence of community outreach efforts to demonstrate the need for the project. ✓ Other community feedback that shows compelling need and project support.

B.2 Community Support (Maximum 50 points)	
Key Areas	Factors for Consideration
were factored into defining the project to address specific needs identified.	<ul style="list-style-type: none"> ✓ If available, recent survey or other similar community-focused analyses regarding level of need, gaps, and project support. ✓ Degree to which teams conducted community-level activities including participating in Local Technology Planning Teams and research to determine the community's need for a multi-purpose facility.

8.2.3. Project Readiness (50 points)

This criteria assesses the readiness of the project by evaluating key activities carried out to date, the details of the project schedule, design, and the work related to environmental approvals and certificates is underway.

The following factors should be taken into consideration for evaluation and scoring process.

C.1 Reasonableness of Project Schedule (Maximum 15 points)	
Key Areas	Factors for Consideration
<ul style="list-style-type: none"> • Details of the project development activities carried out by the Applicant to date. • Reasonableness of the project schedule. • The extent to which the project meets or is expected to meet broadband connectivity needs. 	<ul style="list-style-type: none"> ✓ List of activities carried out by the Applicant to date. ✓ The degree to which the project schedule is detailed, structured, clear, and consistent with committed timelines for key activities. ✓ Detailed narrative on project schedule confirming that project completion will be prior to December 31, 2026. ✓ Identification of key execution risks and mitigation plan. ✓ Existing or proposed arrangements with Internet Service Providers and suppliers for broadband connectivity and/or devices.

C.2 Engineering Design Evidence (Maximum 10 points)	
Key Areas	Factors for Consideration
<ul style="list-style-type: none"> • Details regarding the engineering and design plans for the facility. 	<ul style="list-style-type: none"> ✓ Completeness of the Applicant's project design. ✓ Clear and detailed design of the facility and the services provided in each area.

C.2 Engineering Design Evidence (Maximum 10 points)	
Key Areas	Factors for Consideration
	<ul style="list-style-type: none"> ✓ Contractors and vendors details (particularly for new construction). <p><i>Note: Professional engineer, architect, or similar certification is required.</i></p>

C.3 Environmental and Other Permits (Maximum 25 points)	
Key Areas	Factors for Consideration
<ul style="list-style-type: none"> • Details provided on environmental review process, and all required governmental approvals and permits as required for the proposed project. 	<ul style="list-style-type: none"> ✓ Clear and detailed list of the required approvals and permits. ✓ Concrete plan to secure the required approvals and permits. ✓ Completed environmental review process (e.g., Documentation of Certificate of Exemption/Categorically Excluded Not Subject To (CENST), if applicable; or documentation of the appropriate level environmental review has been completed, up to but not including publication or posting the Notice of Intent / Request for Release of Funds.

8.2.4. Community Impact (150 points)

This criteria measures the potential impact that the project could have within the proposed area. Specifically, this measures the degree to which the project will increase access to work, education, and health services, and promote community and economic development within the project area. In addition, this criteria looks at the project functions by evaluating the details of the services provided, degree of accessibility and asset plans in terms of ownership, operations, and maintenance.

D.1 Benefits to Community (Maximum 75 points)	
Key Areas	Factors for Consideration
<ul style="list-style-type: none"> • Details on how the proposed facility will address the current need and provide a benefit to the targeted community from a Work, Education, and Health Monitoring perspective. • Details on the benefits that the facility will have on the targeted community. Provide examples of potential uses of the proposed facility. 	<ul style="list-style-type: none"> ✓ Narrative on the services that will be offered at the facility that are not currently available such access to training facilities, education, workforce, and health monitoring services, etc. ✓ Details on the facility benefits such as: <ul style="list-style-type: none"> ○ Inclusion of public location for access to digital devices for educational opportunities persons or households.

D.1 Benefits to Community (Maximum 75 points)

Key Areas	Factors for Consideration
<ul style="list-style-type: none"> • Details on whether the project will have direct job creation and if it will prioritize workers from disadvantaged communities. 	<ul style="list-style-type: none"> ○ Inclusion of private areas where citizens can access their telehealth appointments or meet with healthcare providers. ✓ The number of new jobs created in the targeted community directly related to construction, operations and maintenance of the facility. ✓ Extent to which the proposed project has a plan to hire local workers from disadvantaged communities that have experienced disproportionately poor work, education, and health outcomes demonstrated by federal, state, and other relevant data, reports from the targeted community/communities. ✓ Access to digital devices at a public or accessible location to provide educational opportunities and services including certification programs, in-person training programs and classes to develop technological skills. ✓ Provision of private spaces and relate devices to facilitate telehealth services.

D.2 Diversity of Services/Functions (Maximum 25 points)

Key Areas	Factors for Consideration
<ul style="list-style-type: none"> • Project addresses other services and/or functions in addition to addressing the core requirements for CPF eligibility. 	<ul style="list-style-type: none"> ✓ Availability of other functional areas including recreational such as basketball courts and exercise areas. ✓ Availability of municipal services such as police and fire.

D.3 Accessibility (Maximum 25 points)

Key Areas	Factors for Consideration
<ul style="list-style-type: none"> • Details on the facility location and its surroundings. • Required and recommended services offered at the location in relation to accessibility to the facility, including accessibility for individuals with disabilities. 	<ul style="list-style-type: none"> ✓ Proximity and access to public transportation. ✓ Proximity to community anchor institutions, and other end user facilities.

D.3 Accessibility (Maximum 25 points)	
Key Areas	Factors for Consideration
	<ul style="list-style-type: none"> ✓ Does the facility meet all accessibility requirements established by state and federal laws? ✓ Does the facility provide unrestricted access during normal business hours? ✓ Does the facility offer services to those hindered by language barriers, methods for training, and access for workforce related activities.

Note: Applicants whose existing facilities are not fully accessible to individuals with disabilities are urged to work toward compliance with the Americans with Disabilities Act of 1990 and Section 504 of the Rehabilitation Act of 1973.

D.4 CareerSource Florida Local Workforce Development Board (LWDB) (Maximum 25 points)	
Key Areas	Factors for Consideration
<ul style="list-style-type: none"> • Demonstration and evidence of partnership and collaboration between the applicant and CareerSource Florida including the extent to which CareerSource is used to provide training courses, assist with job postings, established on-site meetings to assist job applicants etc. • Contemplation of partnerships with state colleges and technical centers. 	<ul style="list-style-type: none"> ✓ Level of coordination and information sharing between applicant and CareerSource Florida including whether the applicant has conducted and/or participated in regular meetings with CareerSource Florida. ✓ Evidence of an overall plan for the community, more specifically a plan to host weekly or monthly meetings/training and provide information and services at no cost to users of the facility that seek to enter or re-enter the job market. ✓ Evidence of planning for training courses, and approach to soliciting support from the local workforce development board on job postings.

8.2.5. Project Budget (50 points)

Applicant should provide information on the budget narrative and should identify all major expenditure categories and the total sums for categories. Applicant should also provide details on the annual operating and maintenance cost of the facility.

E.1 Budget Narrative and Reasonableness of Cost (Maximum 50 points)	
Key Areas	Factors for Consideration
<ul style="list-style-type: none"> • Narrative explaining the various cost categories and providing the rationale for the costs. • Reasonableness of the capital budget for the project. • Reasonableness of the annual operating budget for the project. 	<ul style="list-style-type: none"> ✓ Level of detail provided in the budget narrative for the project. ✓ Level of detail of the total project costs including a narrative on all major capital expenditure categories and the total sums for those categories. ✓ Level of detail provided on the annual costs for operating and maintaining the facility. <p><i>The cost elements should include, as applicable, engineering design, permitting, construction and labor costs, and other costs associated with a new facility i.e., acquisition of property for development.</i></p>

8.2.6. Project Viability, Resiliency and Sustainability (100 points)

Application should clearly demonstrate that the proposed project is financially and operational viable, ensures resiliency, Applicant organization has necessary resources, and experience to deliver the proposed project within budget and schedule, and that the Applicant organization has an experience for successfully executing similar project(s).

F.1 Financial Capacity and Sustainability (Maximum 10 points)	
Key Areas	Factors for Consideration
<ul style="list-style-type: none"> • Applicant's financial capacity consistent with the project size and operations proposed. • The applicant's ability to obligate and expend funds by program deadlines. • Demonstration of the project's financial sustainability. 	<ul style="list-style-type: none"> ✓ If applicable, audited financial statements of the applicant and other documentation, or financial records to demonstrate financial stability. ✓ Clear identification of additional funding sources and proof of financing being available. ✓ Evidence that the Applicant has the financial capacity to operate and maintain the facility for a period of 5 years after project completion. ✓ Verified financial resources to the project from the Applicant and/or any qualified community partner(s). ✓ Detailed narrative explaining how the grant recipient will obligate and spend funds in compliance with the program deadlines.

F.1 Financial Capacity and Sustainability (Maximum 10 points)	
Key Areas	Factors for Consideration
	<ul style="list-style-type: none"> ✓ Discussion of key financial risks that could impede sustainability (e.g., cost overruns) and mitigation strategies.

F.2 Facility Resiliency (Maximum 50 points)	
Key Areas	Factors for Consideration
<ul style="list-style-type: none"> • Details regarding the resiliency of the planned facility. • Details on whether the planned facility is environmentally sustainable and energy efficient. 	<ul style="list-style-type: none"> ✓ Provide evidence of plans to ensure resiliency of the facility such as: <ul style="list-style-type: none"> ○ Planning for redundancy in power generation (i.e., having a backup generator). ○ Considering alternative sources of power such as photo-voltaic panels, thermal hot water heaters, etc. ○ Constructing or rehabilitating facilities with materials that are more resilient to weather changes. ○ Leveraging ICC/NSSA 500 Standard for the Design and Construction of Storm Shelters code standards for both new construction and existing facilities. ✓ Planning for the facilities to function as a storm shelter.

F.3 Organization Capability and Track Record (Maximum 20 points)	
Key Areas	Factors for Consideration
<ul style="list-style-type: none"> • Demonstration that the Applicant is well positioned to contract, operate, and maintain the facility for a period of initial 5 years after the project completion. • Demonstration of the Applicant's experience and track record to execute and operate similar project(s). • If applicable, demonstration of viable partnerships including public-private partnerships. • If applicable, details regarding the partner's organizational capability. 	<ul style="list-style-type: none"> ✓ Details regarding the Applicant's ability to complete construction and operate and maintain the facility for at least 5 years after project completion. ✓ Details on the Applicant's key personnel experience in areas similar to the project. ✓ Details that the Applicant has delivered projects of similar size in the last 5 years. ✓ Details regarding partnerships including public-private partnerships or coordination between the Applicant and local entities to implement, operate, and sustain the project.

F.3 Organization Capability and Track Record (Maximum 20 points)	
Key Areas	Factors for Consideration
	<ul style="list-style-type: none"> ✓ Details regarding the partner's experience in having developed a similar project.

F.4 Operational Sustainability and Ownership (Maximum 20 points)	
Key Areas	Factors for Consideration
<ul style="list-style-type: none"> • Details related to project ownership and duration of operations. • How does the Applicant plan to fund the operations and maintenance of the facility? 	<ul style="list-style-type: none"> ✓ Evidence of facility and equipment ownership either through a) lease agreement with guaranteed rights of renewal, or b) a commercial lease agreement with at least 10 years remaining, c) copy of the facility deed or d) outright purchase of a facility and/or equipment. Confirmation that ownership of the facility and equipment will be retained by the Applicant. ✓ Evidence and confirmation that the facility will conduct eligible activities for a minimum of five years after completion of the project.

Note: Applicants must own the facility to apply for any exterior rehabilitation initiatives.

9. Grant Agreement and Terms and Conditions

Once the Office validates the application's completeness and the applicant eligibility for funding by achieving the threshold score, and is identified as an awarded applicant, the applicant's authorized representative will execute a Grant Agreement with the DEO.

The Grant Agreement will, among other things, contain terms and conditions related to the following:

1. Description of the services.
2. Roles and responsibilities.
3. Grant payment schedule.
4. Eligible uses of funds.
5. Period of performance.
6. Accounting and reporting requirements.
7. Compliance requirements.
8. Remedies for noncompliance including but not limited to return of funds.
9. Audit practices.
10. Recording keeping.
11. Internal controls; and

12. Other terms required by Federal law.

10. Compliance and Reporting Requirements

Guidance provided in this document is meant to be used as a helpful resource but is not intended to be exhaustive and does not guarantee compliance with the federal requirements. Federal requirements included here are those that may be of particular importance to subrecipients who may receive federal funding for broadband programs. The descriptions below are only general summaries and all recipients and subrecipients are advised to carefully review the full requirements as well as any additional regulatory and statutory requirements applicable to the program from the respective sources. In addition to meeting the federal requirements outlined below, the subgrantee needs to meet applicable state and local requirements as well.

10.1. Specific Guidance

10.1.1. Procurement Standards

Recipients and subrecipients must follow the procurement requirements outlined in [2 C.F.R. Parts 200.317 through 200.326](#) for the acquisition of property or services required under a federal award or subaward. Non-federal entities must maintain oversight to ensure that contractors perform in accordance with the terms, conditions, and specifications of their contracts or purchase orders.

The Uniform Guidance establishes that all procurement transactions for property or services must be conducted in a manner providing full and open competition consistent with standards outlined in [2 C.F.R. Part 200.320](#). 2 CFR 200.320 describes methods of procurement based on two procurement thresholds: the Micro purchase threshold (MPT) and the Simplified Acquisition Threshold (SAT).

Micro-purchase threshold (MPT) - 2 CFR 200.320(a)(1): Purchase of supplies and services for a price below the MPT, currently set at \$10,000, are not required to be solicited competitively. However, there are circumstances when a recipient may have an MPT that is greater than \$10,000. For example, all non-federal entities may increase their MPT up to \$50,000 if they follow the protocols described in 200.320(a)(1)(iv). Additionally, non-federal entities such as metropolitan cities, counties, non-entitlement units of local government, and Tribes may use their own MPT if they follow the protocols described in 200.320(a)(1)(iv).

Simplified Acquisition Threshold (SAT) - 2 CFR 200.320(a)(2): Purchases of property and services at a price above the recipient's MPT and below the SAT, currently set at \$250,000, may be made following the small purchase procedures described in the definition of SAT in 2 CFR 200.1 and 2 CFR 200.320(a)(2). Procurement of property and services.

Small purchase procedures. If small purchase procedures are used, price or rate quotations must be obtained from an adequate number of qualified sources as determined appropriate by the non-Federal entity.

10.1.2. Labor Agreements and Standards

Awardees 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. Recipients and subrecipients of federal funds will be required to comply with federal labor standards, including but not limited to:

a) Labor Standards Provisions of [29 C.F.R. Part 5](#)

- b) Contract Work Hours and Safety Standards Act of 1962, as amended ([40 U.S.C. 3701- 3708](#))
- c) Federal Fair Labor Standards Act of 1938, as amended ([29 U.S.C. 201-219](#))
- d) Copeland “Anti-Kickback” Act ([18 U.S.C. 874](#)).

10.2. General Guidance

Applicability: Under 2 C.F.R. Part 200.101, the terms and conditions of federal awards generally flow down to subcontracts and subawards. This means that non-federal entities must comply with requirements regardless of whether the non-federal entity is a recipient or subrecipient of a federal award.

Internal Controls: Per 2 C.F.R. Part 200.303, all non-federal entities must establish effective internal controls to ensure that funding decisions constitute eligible uses of funds and document determinations.

Allowable Costs: As outlined in the Uniform Guidance at 2 C.F.R. PART 200, Subpart E regarding Cost Principles, allowable costs are based on the premise that a recipient is responsible for the effective administration of federal awards, application of sound management practices, and administration of federal funds in a manner consistent with the program objectives and terms and conditions of the award. Any costs reimbursed with program funds must be reasonable and allocable, as described in 2 C.F.R Parts 200.404 and 200.405, respectively.

Real Property and Equipment: Equipment and real property acquired with federal funds must be used for the originally authorized purpose. Consistent with 2 C.F.R. Part 200.311 and 2 C.F.R. Part 200.313, any equipment or real property acquired using federal funds shall vest in the non-federal entity. A non-federal entity must request disposition instructions for real property from the awarding agency, which may include the retention of the title, sale of the property, or transfer of the title. In the event that original or replacement grant-funded equipment is no longer needed for the original project or program, the non-federal entity must dispose of the property in accordance with 2 C.F.R. Part 200.313.

The Uniform Relocation Assistance and Real Property Acquisition Act of 1970 (42 U.S.C. 4601-4655) (URA) and implementing regulations in 49 C.F.R. Part 24 are also applicable.

Prohibition on Certain Telecommunications and Video Surveillance Services, Equipment, and Costs. Recipients and subrecipients may not use grant funds to procure or obtain certain telecommunications and video surveillance services or equipment provided or produced by designated entities, including certain entities owned or controlled by the People’s Republic of China, 2 C.F.R. Part 200.216. Under 2 C.F.R. Part 200.471, certain telecommunications and video surveillance costs associated with 2 C.F.R. Part 200.216 are unallowable.

Closeout: Any funds not obligated or expended for eligible uses in the eligible cost timeframe must be returned to the federal agency.

SAM.gov Registration: Pursuant to 2 C.F.R. Part 25, each applicant must obtain a Unique Entity Identifier from the federal System for Award Management (SAM) prior to receiving a subgrant agreement.

10.3. Reporting Requirements

Monitoring and Reporting: Pursuant to 2 C.F.R. Part 200.332, recipients are responsible for monitoring and overseeing subrecipients’ use of funds and other activities related to the award to ensure that subrecipients comply with the applicable statutory and regulatory requirements, and the terms and conditions of the award.

Financial Reporting: Financial and performance information will be required at least annually, using OMB-approved standard government-wide information collections, as per 2 C.F.R. Part 200.328.

Access to Records: Pursuant to 2 C.F.R. Part 200.337, representatives have the right of access to any documents, papers, or other records of the non-federal entity which are pertinent to the federal award, in order to make audits, examinations, excerpts, and transcripts. The rights of access in this section are not limited to the required retention period but last as long as the records are retained.

10.4. Other Requirements

The requirements and regulations above provide a broad overview of the requirements and regulations that apply to federally funded broadband programs and are not meant to be an exhaustive list of all the requirements and regulations that subrecipients will be subject to. Other requirements include, but are not limited to:

- a) The Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (2 C.F.R. Part 200) in general.
- b) The Hatch Act (5 U.S.C. 1501-1508 and 7324-7328).
- c) Governmentwide Requirements for Drug-Free Workplace (31 C.F.R. Part 20).
- d) New Restrictions on Lobbying (31 C.F.R. Part 21).
- e) Protections for Whistleblowers (41 U.S.C. 4712).
- f) False Claims Act (31 U.S.C. 3729-3733).
- g) Rules and Procedures for Efficient Federal-State Funds Transfers (31 C.F.R. Part 205).
- h) Single Audit Act Amendments of 1996 (31 U.S.C. 7501-7507).
