



**Residential Retrofit Program**  
**Request for Proposals**  
**Solicitation No. 2024-MBI-08**

**Issued: May 28, 2024**

Contact: Josh Eichen, [eichen@masstech.org](mailto:eichen@masstech.org)

**RFP Schedule:**

Activity	Date
RFP Issued	May 28, 2024
Bidders Conference	June 4, 2024
Questions Due	June 10, 2024
Questions Posted	June 19, 2024
RFP Closes	June 28, 2024
Final Applicants Notified	July 19, 2024
Site Visits	July 12 – August 2, 2024
Final Applicants Deadline for Resubmission of Application Materials	7 business days from Site Visit
RFP Awards Made	August 2024
RFP 2 Launched	August 2024
*All RFP schedule descriptions and dates are tentative and subject to change.	

Applicants are encouraged to review this Solicitation and the application template thoroughly before starting the application process. Doing so will help Applicants understand the requirements for the application and the key factors considered in the evaluation and increase the likelihood of submitting a successful application.

**Table of Contents**

**1. REQUEST FOR PROPOSALS OVERVIEW .....4**

1.1 REQUEST FOR PROPOSALS OBJECTIVE.....4

**1.2 POSTING OF MODIFICATIONS / ADDENDA TO THE RFP.....4**

1.3 MASSTECH COLLABORATIVE AND THE MASSACHUSETTS BROADBAND INSTITUTE .....4

**2. REQUEST FOR PROPOSALS BACKGROUND.....5**

**2.1 DEFINITIONS.....5**

**2.2 PROGRAM OVERVIEW .....5**

2.2.2 PROPERTY EXPRESSION OF INTEREST .....6

2.2.3 RFI .....6

**3. ELIGIBLE APPLICANTS.....6**

**4. ELIGIBLE USES OF FUNDS BY GRANTEES .....7**

**5. GRANTEE RESPONSIBILITIES .....7**

5.1 OWNERSHIP OF ASSETS .....7

5.2 PROCUREMENT AND INSTALLATION OF ASSETS.....8

**6. APPLICATION PROCESS .....8**

6.1 APPLICATION PROCESS OVERVIEW.....8

6.2 APPLICATION PROCESS.....9

6.3 APPLICATION REVIEW.....9

6.4 SCORING AND SITE VISITS.....9

6.5 AWARD TO GRANTEE.....10

6.5.1 FUNDING AGREEMENT.....10

6.5.2 GRANTEE - PROPERTY OWNER COORDINATION .....10

6.5.3 PAYMENT SCHEDULE .....10

**7. RESPONSE REQUIREMENTS .....11**

7.1 THRESHOLD REQUIREMENTS .....11

7.2 SCORING CRITERIA (UP TO 100 POINTS AWARDED).....15

7.3 BONUS SCORING CRITERIA.....20

**8. MONITORING AND COMPLIANCE REQUIREMENTS .....22**

8.1 SITE VISITS .....22

8.2 REPORTING REQUIREMENTS .....22

8.3 PROJECT COMPLETION DATE .....23

8.4 SERVICE DURATION .....23

8.5 CONTRACTOR CLASSIFICATION .....23

8.6 OWNERSHIP OF INFRASTRUCTURE.....23

8.8 GENERAL CONDITIONS .....23

## 1. Request for Proposals Overview

### 1.1 Request for Proposals Objective

Massachusetts Technology Collaborative's ("MassTech") Residential Retrofit Program (the "Program") will make a transformational capital investment in the infrastructure needed to support delivery of high-speed internet in the Commonwealth of Massachusetts' Affordable Housing developments.

The Program will fund the purchase and installation of broadband infrastructure in public housing and Affordable Housing buildings. Infrastructure may include fiber from the street to the building, in-building wiring, and in-unit termination. Eligible expenses are fully defined in section 4 of this Request or Proposals ("RFP").

Capital investments will serve Public and Affordable Housing properties that meet the following requirements:

- State and federally funded public housing developments.
- Developments supported by Low Income Housing Tax Credits or other deed-restricted Affordable Housing developments.
- Housing developments that serve residents that fall at or below 300% of Federal Poverty Guidelines for household size or income at or below 65% of Annual Median Income (AMI) and households at or below 185% of Federal Poverty Guidelines for household size or income at or below 40% of AMI.
- Mixed income Affordable Housing developments will only be eligible if they are located in Qualified Census Tracts ("QCTs").
- MBI will not invest in properties where less than 50% of the units are deed restricted affordable unless the property owner can provide sufficient information regarding the long-term affordability of the property and that residents meet U.S Treasury definitions of "Impacted" or "Disproportionately Impacted".
- MBI will not invest in properties where internal wiring upgrades have been made in the past five years or if there is fiber connectivity to the building and unit, or CAT 6 ethernet cabling to the unit supported by fiber backhaul.

MBI has validated the affordability requirements of properties included in this solicitation via pre-defined data accessed from the Massachusetts Executive Office of Housing and Livable Communities, US Department of Housing and Urban Development, CoStar, Housing Navigator, and MassHousing.

MBI has validated the wiring requirements of properties included in this solicitation via the FCC's Broadband Availability Map by ensuring technology provided at any given address does not include "Fiber to the premises" and will require awarded grantees to photographically document wiring conditions as a component of the execution of work.

MassTech's objective with this Program is to address factors that have inhibited market investment by Internet Service Providers ("ISPs") in improving infrastructure to and within Affordable Housing developments across the state. By offering capital funds, MassTech seeks to enable ISPs to offer reliable, high-speed broadband service in Affordable Housing buildings.

### 1.2 Posting of Modifications / Addenda to the RFP

This RFP has been distributed electronically using the Mass Tech Collaborative and COMMBUYS websites. If Mass Tech Collaborative determines that it is necessary to revise any part of this RFP, or if additional data is necessary to clarify any of its provisions, an addendum will be posted to the websites. It is the responsibility of each potential Applicant to check the Mass Tech Collaborative and COMMBUYS websites for any addenda or modifications to the RFP. The Mass Tech Collaborative accepts no liability and will provide no accommodation to Respondents who submit a response based on an out-of-date RFP.

### 1.3 MassTech Collaborative and the Massachusetts Broadband Institute

MassTech is an independent public instrumentality of the Commonwealth of Massachusetts chartered to serve as a catalyst for growing its innovation economy. MassTech brings together leaders from industry, academia, and government to advance technology-focused solutions that lead to economic growth, job creation, and public benefits. For additional information about MassTech and its programs and initiatives, please visit our website at [www.masstech.org](http://www.masstech.org).

Massachusetts Broadband Institute (“MBI”) is the central broadband program for the Commonwealth of Massachusetts. The primary mission of MBI is to extend affordable, robust, high-speed Internet access to homes, businesses, schools, libraries, medical facilities, government offices and public places across Massachusetts. For more information about MBI and its programs and activities generally, please visit the web site at [www.massbroadband.org](http://www.massbroadband.org). Program funds are governed by the Commonwealth and federal regulations and guidance.

MassTech will be the contracting entity on behalf of MBI for the purposes of this Program, and (except where the specific context warrants otherwise), MBI and MassTech are collectively referred to as “MassTech Collaborative” or “MassTech”. Funding Agreements will contain certain standard provisions, including mandatory federal flow down provisions.

## 2. Request for Proposals Background

### 2.1 Definitions

- “Affordable Connectivity Program” (“ACP”) shall mean the Federal Communications Commission’s (“FCC”) federal subsidy program which provides a monthly discount for internet service subscription costs and a one-time discount for an internet-enabled device for eligible households.
- “Affordable Housing” shall mean a permanent rental property with an income restriction and accepts applications from the general public. This definition includes public housing, LIHTC-funded housing, 202s and inclusionary housing
- “Broadband” shall mean high-capacity transmission technology that transmits data, voice, and video across long distances and at high speeds. As defined by the FCC, broadband is internet service with a minimum of 100 Mbps download and 20 Mbps upload speeds.
- “Bulk Service” shall mean a high speed internet connection similar to an enterprise or commercial subscription that would be procured by a housing operator for an entire building and shared between units, thus negating the need for individual units to purchase a unit level subscription.
- “Capital Projects Fund” or “CPF” shall mean the grant program established by Section 604 of the Social Security Act (the Statute), as added by Section 9901 of the American Rescue Plan Act of 2021 (“ARPA”).
- “Fiber” refers to optical fiber, which carries information from one place to another via transmitted pulses of infrared light.
- “Grantees” shall refer to selected/awarded Applicants.
- “Internet Service Provider” or “ISP” and “Managed Service Provider” or “MSP”) shall refer to companies that provide subscribers with internet access.
- “MassBroadband 123 Network” refers to the Commonwealth of Massachusetts’ Open Access, public, middle mile network which offers internet service transport services to 101 communities in Western Massachusetts.
- “Open Access” shall mean an internet network where there may be more than one ISP that provides retail services over the same access network infrastructure simultaneously, allowing the subscribers to decide from which ISP they will purchase their services.
- “Owner” or “Property Owner” shall refer to the sole proprietors, partnerships, LLCs, corporations, nonprofit entity, or for-profit entities that own, operate, represent, or manage an Affordable Housing site or sites.
- “Property” or “Properties” shall refer to an Affordable Housing location or locations that is selected for deployment/infrastructure upgrade through the Residential Retrofit Program.
- “Project Group” shall refer to a group of not more than five (5) Properties under common ownership that are solicited together through this RFP.
- “Residential Retrofit Program” or the “Program” shall mean the grant program described in this RFP to fund deployment of new and/or upgraded fiber-based broadband infrastructure to and within Affordable Housing properties throughout the Commonwealth of Massachusetts.
- “Substantial Completion” is defined as the date for which the Project can fulfill the primary operations that it was designed to perform, delivering services to end-users. At substantial completion, service operations and management systems infrastructure must be operational.

### 2.2 Program Overview

The Residential Retrofit Program will make strategic and transformational investments that will ensure all Affordable Housing properties have the infrastructure necessary to provide reliable high-speed internet for current and future residents. The Program is funded by a \$22M grant awarded to the Massachusetts Executive Office of Economic Development (“EOED”) by the U.S Treasury under the Capital Projects Fund (“CPF”) which provides federal financial assistance in the form of grants to eligible entities as authorized by Section 604 of the Social Security Act,

as added by section 9901 of the American Rescue Plan Act of 2021 (the “Act”), Pub. L. No. 117-2 (Mar. 11, 2021) . Mass Tech is a sub-recipient of EOED for CPF funds and is administering the Program on behalf of EOED. This new Program will serve to not only remediate immediate issues associated with residential internet quality of service but make a transformational investment that will ensure future residents of participating Affordable Housing developments in the state have the infrastructure needed to support high speed internet for the next 50 - 100 years.

MBI will release quarterly RFPs until such time as the funds for this program are expended.

MBI has identified four primary areas for capital investment under the Residential Retrofit Program: (1) installation of fiber construction into Affordable Housing buildings; (2) installation of fiber or CAT 6 cabling into units within Affordable Housing buildings; (3) installation of smart panels or other needed in-unit termination points for improved wiring within Affordable Housing buildings; and (4) other required cabling, RF, or telecommunications equipment as required by individual building conditions within Affordable Housing buildings.

### 2.2.2 Property Expression of Interest

In February of 2024 MBI released an online expression of interest form that interested Affordable Housing Property Owners can fill out to submit baseline information about their Property/Properties. MBI used responses from this Expression of Interest Form to create a list of Affordable Housing Properties that are interested in and eligible for the Residential Retrofit Program (“Eligible Properties List”).

On a quarterly basis, MBI will select properties from the Eligible Property List to be included in quarterly RFPs within Project Groups of not more than five (5) properties under common ownership. Project Groups will then be published under the quarterly RFP’s.

### 2.2.3 RFI

In March 2024, MBI released a Request for Information (“RFI”) to assess the level of interest and potential costs from the private market in making building-scale investments. The information collected during the RFI process informed this RFP.

## 3. Eligible Applicants

Applications may be submitted by a single entity or multiple entities that form a team. Lead Applicants or single Applicants must be ISPs or MSPs. An Applicant Team must have a designated Lead Applicant and may be composed of any number of the Applicant types, working together to bring the project to completion. Successful Applicants must have the ability to build broadband infrastructure, fulfill broadband deployment, operate the broadband service, and provide service, maintenance, and end-user ISP support to the determined Affordable Housing Properties within the required timeframe and deliver reliable high-speed internet service to end-users following project completion.

Applicant or Lead Applicant Types:

- **Internet Service Providers (ISPs):** Entities currently providing internet services to consumers in Massachusetts and potential new market entrants. This may include entities that are not legacy providers of cable television or telephone services but who are interested in offering retail internet service over newly built infrastructure.
- **Managed Service Providers (MSPs):** Entities operating networks and providing service to residents and businesses by leveraging existing internet infrastructure or partnering with construction entities to build networks.

Applicant Team Member Types:

- **Owners of Broadband Infrastructure:** Entities currently operating or holding fiber infrastructure in Massachusetts and potential new market entrants who own middle- or last-mile fiber infrastructure.
- **Builders of Broadband Infrastructure:** Entities who construct and/or deploy broadband infrastructure assets including fiber, low voltage cabling, and other relevant RF or telecommunications equipment.
- **Other:** Entities supporting the deployment of broadband infrastructure under the Residential Retrofit Program.

## 4. Eligible Uses of Funds by Grantees

The Residential Retrofit Program will make capital funding available as one-time grants for Applicants selected to be Grantees. Eligible uses of grant funds will be set forth in a Funding Agreement to be entered into between MassTech and Grantees. MassTech and Grantees are required to follow the compliance requirements of the U.S. Treasury Capital Projects Fund, as described under *U.S. Treasury Guidance for The Coronavirus Capital Projects Fund for States, Territories & Freely Associated States*.<sup>1</sup> Consistent with these requirements, Grantees will be subject to detailed quarterly and annual reporting requirements.

Eligible uses of funds include:

- 1) Installation of fiber construction into Affordable Housing buildings:
  - Last-mile infrastructure: The cabling, wires, and/or radios that ISPs use to distribute the internet from local internet exchanges to homes, offices, and other network endpoints. Funding shall be used to construct new infrastructure where it is needed to deliver high-speed internet service to Affordable Housing Properties in Massachusetts.
  - Drops to a building: The connection from passing fiber or cable on a street pole or in-street conduit into a building. In a fiber-to-the-premises system, the fiber drop is the single connection from passing fiber into a structure for interior distribution to units.
  - MBI will support up to a half mile of last mile infrastructure under the Retrofit grant program. Any additional last mile infrastructure construction must be supported by the Applicant.
- 2) In-building wiring installation of fiber or CAT 6 cabling into units within eligible properties:
  - In-building wiring: The interior cabling that distributes a telecommunications signal from the minimum point of entry (“MPOE”) to terminations, such as wall jacks, throughout a building.
- 3) Installation of smart panels or other needed in unit termination points for improved wiring within Affordable Housing buildings:
  - Smart panels or other in-unit termination: The jack where a router or other internet device plugs in to receive service in a unit.
  - Networking equipment: The equipment necessary to deliver internet service to end-users, such as switches, routers (including in-unit routers), and wireless access points.
- 4) Other required cabling, RF, or telecommunications equipment as required by individual building conditions within Affordable Housing buildings.

The Program will not fund activities defined as ineligible under applicable state and federal law, including the federal guidance for the CPF program, as described in the *U.S. Treasury Guidance for The Coronavirus Capital Projects Fund for States, Territories & Freely Associated States* and the *SLFRF and CPF Supplementary Broadband Guidance*.

## 5. Grantee Responsibilities

### 5.1 Ownership of Assets

Grantees will own all assets funded by the Program (subject to the Federal Interest, discussed below), however MBI will retain rights to use three fiber strands for all fiber service into any participating Property. MBI will require that this will include accessible service coils at ingress/egress points of any fiber extension and drop to any Property to

---

<sup>1</sup> Refer to: <https://home.treasury.gov/system/files/136/Capital-Projects-Fund-Guidance-States-Territories-and-Freely-Associated-States.pdf>; see also [SLFRF and CPF Supplementary Broadband Guidance \(treasury.gov\)](#).

ensure a long-term public interest in these projects. See section 7.1.4 for specific requirements related to the uses and accessibility of these strands.

Additionally, Grantees must adhere to this Program's service and affordability requirements as outlined in sections 7.1.5 and 7.1.6.

MBI will maintain a comprehensive list of addresses where capital assets are deployed and installed. MBI will collect survey data periodically from residents and program beneficiaries to determine if assets are still in place and in use.

See also 2 C.F.R. § 200.313 regarding equipment purchased with a federal award.

## **5.2 Procurement and Installation of Assets**

Grantees will be responsible for the procurement and installation of all materials, equipment, wiring and any other capital assets and ancillary services required to implement the awarded projects. As part of the application process, Applicants must submit detailed budgets that include all cost elements for the proposed project(s), including the purchase and installation/construction of fiber connections to the building, in-building wiring, in-unit termination points and any other cabling or equipment required to complete each project

## **6. Application Process**

### **6.1 Application Process Overview**

#### 6.1.1 Overview

MBI will release quarterly, competitive Residential Retrofit RFPs containing additional Project Groups and will review Applications for each RFP until Program funding is exhausted. Applications shall be reviewed for completeness and evaluated according to the criteria outlined in sections 6 and 7 of this RFP. Applications must be submitted along with all necessary attachments through the online Residential Retrofit Program form located on the Residential Retrofit Solicitation website at: <https://broadband.masstech.org/request-proposals-residential-retrofit-program>

#### 6.1.2 Public Records Policy

All responses, applications, data, materials, information, and documentation submitted in response to the Residential Retrofit Program shall be subject to public disclosure. As public entities, MassTech and MBI are subject to the Massachusetts Public Records Law (set forth at Massachusetts General Laws Chapter 66). There are extremely limited and narrow exceptions to disclosure under the Public Records Law. If an Applicant wishes to have MBI treat certain information or documentation as confidential, the Applicant must submit a written request to MassTech's General Counsel prior to submission. The request must precisely identify the information and/or documentation that is the subject of the request and provide a detailed explanation supporting the application of the statutory exemption(s) from the public records cited by the Applicant. The General Counsel will issue a written determination within ten (10) business days of receipt of the written request. If the General Counsel approves the request, the Applicant shall clearly label the relevant information and/or documentation as "CONFIDENTIAL" in the Application. Any statements in an Application reserving any confidentiality or privacy rights that are inconsistent with these requirements and procedures will be disregarded.

#### 6.1.3 Questions and Answers

Questions regarding this solicitation must be submitted via [this online form](#). All questions must be received by 5:00 p.m. EST 6/10/2024. Responses to all questions received by this deadline will be posted on or before 5:00 p.m. on 6/19/2024 to MassTech Collaborative and COMMBUYS website(s).

#### 6.1.4 Bidders Conference

MBI will host a virtual bidders conference on 6/4/2024 at 9:30am. To register, please follow [this link](#) to a Zoom registration page. MBI will post a recording and summary responses to procedural questions and issues addressed at the respondents' teleconference on the Retrofit Solicitation and COMMBUYS websites.



## 6.2 Application Process

This RFP solicits applications through an open and competitive process from ISPs or MSPs for fiber construction to eligible Affordable Housing Properties (as outlined in the Eligible Properties List) and in-building and in-unit installation of cabling and related equipment. Affordable Housing Properties will be solicited in Project Groups of not more than five (5) properties per group. All properties in a Project Group will be under common ownership and within a consolidated geographic area. Applicants applying to serve a Project Group must provide service to all properties and units within the Project Group. Project Groups will not be disaggregated.

## 6.3 Application Review

The list of Eligible Properties and Project Groups which Property Owners have put forth for consideration for this Program applicable to this RFP is located at:

<https://airtable.com/appOJcXh3ZWTq3UY7/shrmvC8BXRIMqI3dX/tbIIQKzZY8i22GohW>

The list contains basic information about Properties including but not limited to:

- Property address;
- Property Ownership information;
- Avg Unit SF;
- Construction Material;
- # 1 BR Units;
- # 2 BR Units;
- # 3 BR Units;
- # 4 BR Units;
- Total Units;
- Total Buildings;
- Stories;
- Year Constructed; and
- Year Renovated.

Using this information, Applicants can select specific Project Groups they seek to serve and submit the required application documentation outlined in this RFP through MBI's online application form.

## 6.4 Scoring and Site Visits

MBI will score applications against each other for the Project Groups submitted by any given applicant. The top three scoring applications for each Project Group will be eligible to conduct a site visit to better understand the building level conditions and adjust their application materials and proposed budget submissions as needed. Applicants will be able to adjust submissions related to sections 7.2.1 – 7.2.7 and sections 7.3.1 – 7.3.3 of this RFP. MBI will notify Applicants that they are a top three scoring entity within 10 business days of the close of each solicitation round and will provide at least three (3) dates for conducting a site visit within ten (10) business days of notification. MBI will only coordinate one (1) site visit per Project Group for all top three (3) applicants to attend.

Final Applicants may revise submissions related to sections 7.2.1 – 7.2.7 and sections 7.3.1 – 7.3.3 of this application and submit those sections to [proposals@masstech.org](mailto:proposals@masstech.org) within 7 business days of conducting the site visit. Revised submissions received later than 7 business days after conducting the site visit will not be reviewed.

MBI will make a final award to the highest scoring Applicant based on the final application received. Applicants may choose not to revise their application, in which case MBI will use the score allocated to their originally submitted application.

Applicants must meet a minimum score of 50 to be eligible for a grant, as outlined in section 7.2 of this RFP.

MBI has the right to not award funding if it deems the project costs to be excessive.

If there is only one Applicant, it will still be eligible for a site visit if it meets the minimum scoring criteria.

## 6.5 Award to Grantee

MBI will make a final award for each Project Group based on the final submitted application materials. A Funding Agreement between MassTech and the final Grantee will only be executed after the Grantee has entered into an approved agreement with the Property Owner.

### 6.5.1 Funding Agreement

Applicants that are awarded funding will be required to have an authorized representative execute a Funding Agreement with MassTech. The form of Funding Agreement will be posted on MBI's website. The Funding Agreement will include terms and conditions including, but not limited to:

- Description of the services
- Roles and responsibilities
- Grant payment schedule (consistent with payment on a cost reimbursement basis upon completion of specified project milestones)
- Eligible uses of funds
- Period of performance
- Accounting and reporting requirements
- Compliance requirements
- Remedies for noncompliance
- Audit practices
- Record keeping
- Internal controls, and other terms required by federal law

The Funding Agreement will also outline the relevant terms a Grantee must follow to comply with the approved Project requirements.

### 6.5.2 Grantee - Property Owner Coordination

Grantees selected to deploy infrastructure in Affordable Housing Properties will be responsible for coordinating directly with Property Owners or their representatives to determine an agreed-upon project deployment schedule, secure access to facilities for installation work, and liaise with residents to ensure access to residential units as needed for installations. This coordination will be separate from MBI's Funding Agreement. The Property Owner and Grantee will enter into an agreement(s) based on the proposed contract included in the Grantee's RFP application, as required in Section 7.1.7, and approved (with or without modifications) by MBI.

If a Property Owner chooses not to work with the highest scoring Applicant as determined by the scoring criteria outlined in section 7, MBI reserves the right to award the work for the Property Group under consideration to the next highest scoring Application. If there are no other Applicants, MBI will rebid the Project Group in a subsequent RFP.

### 6.5.3 Payment Schedule

MassTech will make payments to Grantees upon completion of project milestones specified in the Funding Agreement. Each payment request must be accompanied by:

- A report, the format of which will be provided by MBI, on the project's progress, expenditures, risks, and impact;
- Detailed documentation of project expenses (invoices) that will tie to the line items contained in the approved budget and the expenditures in the accompanying report; and
- Documentation sufficient to support the completion of a milestone that entitles the Grantee to payment.

## 7. Response Requirements

Applications will be reviewed and evaluated using the criteria set forth below for each Project Group applied for. Applicants must submit all criteria specified in this RFP to be considered for scoring. Applications that omit information, supporting documentation and/or required attachments; submit erroneous information; or provide insufficient details will result in disqualification.

All response requirements outlined in this section must be submitted to MBI through its online application form. Materials submitted outside of the online application form will not be considered for this Program.

Upon receipt, MBI will determine if there are any deficiencies in the submitted Applications that are nonmaterial and curable. If so, MBI may issue a written clarification request to the Applicant(s), requesting the missing information to be returned in a timeframe that would not result in a constructive extension of the submission deadline. If the Applicant fails to timely respond to the request, the Application will be rejected. If any Applications have material deficiencies, the Applications will not be reviewed.

Applicants applying to serve a Project Group will submit a consolidated set of information regarding all Threshold Requirements, Scoring Criteria, and Bonus Scoring Criteria outlined below in sections 7.1, 7.2, and 7.3 respectively.

Applicants may not make an award for one Project Group contingent on receipt of an award for another.

### 7.1 Threshold Requirements

Prior to scoring applications, MBI will conduct a threshold review using the Threshold Requirements outlined below. Applicants must meet all Threshold Requirements to be considered for scoring. If any of the Threshold Requirements are not met, the Application will be rejected.

#### 7.1.1 Threshold Network Design Requirements:

Applicants must submit network design information with enough detail for MBI to confirm that it meets the minimum requirements of the Program - as outlined below:

1. Wireline network, as designed, will deploy fiber backhaul to the building
2. Wireline network, as designed, will deploy fiber or CAT 6 to the unit
3. Wireline network, as designed, will deploy equipment that can deliver network speeds of 100Mbps symmetrical speeds
4. Wireline network, as designed, will ensure that latency (round trip ping time from user premises to the ISPs access router/switch) is < 20 ms
5. Wireline network, as designed, will be served by an access network capable of supporting an oversubscription ratio that will enable users consistent access to 100/20 speeds in alignment with industry best practices.

Applicants must submit the following information for MBI to determine adherence with the requirements above:

1. Project Narrative – that describes the following in detail:
  - a. Network architecture,
  - b. Network elements (both active and passive) along with specifications,
  - c. Connectivity between the units and the internet backbone,
  - d. Service speeds,
  - e. Typical latency experienced by current subscribers, and
  - f. Documentation of network speeds and latency over the last 5 years.

The Project Narrative must explain how the proposed network will ensure that each served location will be provided with the required throughput and evidence that the internet backbone provides enough capacity to

support multiple simultaneous customer internet use. The narrative must explain the engineering decisions made to ensure that the proposed network achieves the required service speeds and latency, such as:

- a. Backhaul connectivity
  - b. Head-end deployment
  - c. Core network electronics
  - d. Fiber capacity and strand counts on each segment of the network
  - e. Maximum line speed at the premises
  - f. Oversubscription ratio
  - g. Split ratios
  - h. Splice points
  - i. Drop installation
2. Applicants must also provide a detailed logical diagram showing major interconnection points, interfaces, and maximum speeds of all links. This should include the transmission medium used between nodes (fiber, microwave, etc.), peering points, and internet exchange locations. The diagram must also provide detailed technical information such as types of equipment, technology, split ratios, and interface speeds for all segments of the network, from the internet peering point to the customer.
    - a. If the Applicant proposes to provide bulk service options in addition to traditional unit subscription service options, the Applicant must provide additional narrative outlining any differences in network design or equipment that would be required to provide bulk service subscriptions.
  3. Explain whether the network is completely fiber or if another medium, such as copper or coaxial cable, is utilized in the network. If not 100 percent fiber, describe what percentage of the network travels over a non-fiber medium and explain what engineering decisions led to that design.
  4. Describe where fiber will be run in the public right-of-way and to customer premises, and how strands will be allocated to individual customers. If each unit will not receive a dedicated fiber handoff, describe how connectivity will be delivered to each unit from an intermediate demarcation point. For distribution within a building, provide the overall expected throughput from the network to the building. Provide the assumptions and describe the distribution network's design in specified buildings. Each unit inside the building must have connectivity. Campus-wide or building-wide Wi-Fi solutions as a primary distribution network for building residents is not allowed.
  5. Describe the construction methodology for deploying the network. Identify aerial and underground construction elements of the network and explain why aerial or underground construction was chosen. Make reference to the logical diagram where appropriate. Provide construction specifications, such as:
    - a. Fiber cable type (loose tube, ribbon, armored, etc.)
    - b. Conduit type and size for each route segment
    - c. Construction methodology for each segment of the network.
  6. Describe how underground conduit will be installed and at what depth. For aerial segments, explain how much make-ready work is expected and how many poles will be applied for.

### 7.1.2 Threshold Customer Premises Equipment Requirements:

All Applicants must provide examples of customer premises equipment ("CPE") that will be provided to all end-users so that customers can interconnect with the Applicant's network that is providing the internet access service. CPE also needs to allow customers to access the Applicant's internet service with multiple end-user devices via wired Ethernet and/or Wi-Fi connections inside the customer's premise. The CPE must meet the specifications in Table 1: Minimum CPE Specifications, below.

Table 1: Minimum CPE Specifications

<u>Element</u>	<u>Specification</u>
User Interface	Wi-Fi 802.11ax (a.k.a. Wi-Fi 6) or better Ethernet
Service Speed	Minimum 100Mbps symmetrical internet service
Provider Interface	Allows interconnection with in-building fiber or CAT6

If the Applicant proposes an indoor CPE configuration, it must have an integrated modem and Wi-Fi router. If the Applicant proposes an outdoor CPE configuration, it must have a connection to an indoor Wi-Fi router. Proposed CPE must be capable of delivering a minimum of 100/100 Mbps internet service to each household and meet or exceed all minimum specifications and requirements outlined above.

Applicants that are awarded grantees under this Program must manage and maintain the CPE, and as necessary troubleshoot, repair and/or replace CPE throughout the life of the equipment or as long as there is a paying customer.

Applicants must provide an easy self-installation kit and/or an on-site technician to complete customer installations within 10 business days of requesting service.

To meet this requirement, the Applicant must submit a narrative describing:

- a) In-unit termination specifications
- b) CPE or router model and capabilities (including Wi-Fi interface)
- c) The Applicants standard operating procedures for replacing or upgrading CPE
- d) The Applicants standard operating procedures for supporting customers with on site installation of CPE.

### 7.1.3 Threshold Project Schedule Requirements

The applicant must commit to substantial completion of the project by September 31, 2026. Applicants are strongly encouraged to plan to complete construction scopes by July 30, 2026. If a July 30, 2026, deadline cannot be met, the Applicant must detail how it will guarantee substantial completion prior to the federal deadline of December 31, 2026. MBI will update this deadline as further guidance becomes available.

To meet this requirement Applicants must submit a project schedule that outlines the successful completion of the following milestones:

- Pole permits (if needed)
- Procurement of subcontractors if applicable
- Construction of fiber to the building
- Installation of in building network equipment
- Completion of fiber/CAT 6 to the unit cabling
- Completion of in unit termination points
- Availability of network service to end user

### 7.1.4 Threshold Fiber Reservation of Rights Requirements

To satisfy this requirement, Applicants must submit an affirmative statement that MBI will retain rights to use up to three (3) strands of dark (unlit) fiber and provide a detailed description of how it will ensure accessible service coils at egress/ingress points of any fiber extension and drop to any Property to ensure a long-term public interest in these projects. These strands of dark fiber will be different and apart from the lit service strands the applicant will own and use to provide service to any property funded through this grant program. MBI will maintain a comprehensive list of addresses where capital assets are deployed and installed. MBI will collect survey data periodically from residents and program beneficiaries to determine if assets are still in place and in use.

For all projects funded under the Residential Retrofit Program MBI retains these rights to support any needed public safety, municipal, educational, or other services that could potentially improve the health, safety, or wellbeing of current or future residents. MBI also retains these rights for all other lawful purposes.

### 7.1.5 Threshold Service Plan Requirements

To satisfy this requirement, Applicants must submit a Service Level Agreement (SLA) that confirms that service plans for residents of properties funded under the Residential Retrofit Program will not subject end-users to data caps, surcharges, or usage-based throttling.

Submitted SLA's must also outline information regarding the service provider's typical response time, data sharing, communication standards to close feedback loop on service requests (including delays, other agencies' timeline impacts, service resolution or completion, maintenance related outages, etc.).

### 7.1.6 Threshold Affordability Requirements

To satisfy this requirement, Applicants must submit an affirmative statement that Applicant will commit to participating in any future federal or state subsidy program similar to the Affordable Connectivity Program. In addition, Applicants must commit to not raise service prices as submitted in the Application in either section 7.2.1 or section 7.3.3 by more than 3% in any year over year timeframe throughout the Federal Interest Period (i.e., through 2034).

### 7.1.7 Threshold Agreement with Property Owners Requirement

To satisfy this requirement, Applicants must submit a draft agreement that they propose be signed by the Property Owner(s) that indicates the proposed service level(s) and price(s) along with building access requirements. MBI will review this draft agreement and share any feedback or changes needed before a successful Applicant enters into the agreement with a Property Owner.

### 7.1.8 Additional Threshold Submission Requirements

In addition to the submission requirements listed in Section 7.2.1 to 7.2.7, the Applicant must include the following information in its Application to pass threshold review and be scored as described in Section 7.2 below. Omissions of any item listed below will result in the Application being disqualified.

- a. Proposed price sheets as further described in Section 7.2.1
- b. Project budget utilizing the Budget Worksheet and a budget narrative as further described in Section 7.2.2
- c. Examples of successful projects of a similar size and scale as further described in Section 7.2.3
- d. Community benefits narrative as further described in Section 7.2.4
- e. Organizational chart and related information on the organizational capacity of the applicant and key business partners as described in Section 7.2.5
- f. Narrative describing the applicant's labor and workforce strategy as further described in Section 7.2.6
- g. Financial statements of the Applicant as further described in Section 7.2.7
- h. Officer's Certificate
- i. Proposed modifications to the template Funding Agreement, if the Applicant is requesting changes to said agreement

## 7.2 Scoring Criteria (up to 100 points awarded)

Applicants will have the opportunity to score up to a total of 100 points (excluding Bonus Points). Points will be awarded in the following categories:

Section	Scoring Criteria	Points will be awarded up to:
7.2.1	Service that will still be low cost or free without subsidy	20
7.2.2	Proposed Project Costs	20
7.2.3	Experience in implementing projects of similar size and complexity	16
7.2.4	Community benefits	12
7.2.5	Organizational capacity and resources	12
7.2.6	Labor and workforce standards	10
7.2.7	Financial capability	10

Applicants must score at least fifty (50) points to be eligible for a grant award. Applications receiving less than fifty (50) points will be disqualified.

### 7.2.1 Service that will still be low cost or free without subsidy (Up to 20 points awarded)

Applicants must include in the Application pricing for all broadband service offerings and related fees that will be charged to users served by the proposed project using the provided Service Tiers and Pricing Template. These can include income eligible plans. If the Applicant chooses to submit pricing for income eligible plans, they must submit the eligibility requirements for those plans as an accompaniment to the Service Tiers and Pricing Template.

If the Applicant's services are eligible for price discount under the Federal Lifeline program and plans to promote the Lifeline benefit to future subscribers the Applicant must provide documentation of how the Lifeline benefit will further reduce monthly costs. The Applicant must also provide additional narrative regarding their plan to proactively enroll residents in Lifeline services as part of their proposal. This can be elaborated on in section 7.2.3.

Note that participation in any successive program to the Affordable Connectivity Program ("ACP") is mandatory to the extent that one is available. Beyond ensuring affordability within the Federal Interest period of this Program, MBI seeks to ensure affordability for residents in the long term.

Service offerings proposed cannot be subject to limited time offers or expiring service deals. As noted in the Threshold Affordability Requirements (see Section 7.1.6), Applicants must commit to not raise service prices as submitted in the Application by more than 3% in any year over year timeframe throughout the Federal Interest Period (i.e., through 2034).

#### 7.2.1.A Scoring Criteria

The scoring for requirement 7.2.1 will be determined based on the Applicant's ability to offer affordable rates for minimum broadband service speeds (as defined by the FCC, 100/20 upload download speeds). Rates for 100/20 can include income eligible plans.

**20 Points:** Proposed price sheet indicates cost of service to resident for 100/20 service is free

**18 Points:** Proposed price sheet indicates cost of service to resident for 100/20 service is at or below \$10.99/ month

**16 Points** Proposed price sheet indicates cost of service to resident for 100/20 service is between \$11 - \$15.99 / month

**14 Points:** Proposed price sheet indicates cost of service to resident for 100/20 service is between \$16 - \$20.99 / month

**12 Points:** Proposed price sheet indicates cost of service to resident for 100/20 service is between \$21 - \$25.99 / month

**10 Points:** Proposed price sheet indicates cost of service to resident for 100/20 service is between \$26 - \$30.99 / month

**8 Points:** Proposed price sheet indicates cost of service to resident for 100/20 service is between \$31 - \$35.99 / month

**6 Points:** Proposed price sheet indicates cost of service to resident for 100/20 service is between \$36 - \$40.99 / month

**4 Points:** Proposed price sheet indicates cost of service to resident for 100/20 service is between \$41 - \$45.99 / month

**2 Points:** Proposed price sheet indicates cost of service to resident for 100/20 service is between \$46 - \$50.99 / month

**0 Points:** Proposed price sheet indicates cost of service to resident for 100/20 service is greater than \$50.99 / month

## 7.2.2 Proposed Project Costs (20 Points)

### 7.2.2.A Scoring Criteria

The gradation of points is based on the reasonableness of the proposed budget submitted (using the budget worksheet available for download on the Retrofit Solicitation webpage) and accompanying budget narrative and how it compares to other Applications as described below:

#### **Budget Submission and Narrative**

**16 points:** Full points are awarded if the Applicant provides a project budget that is reasonable and well-justified. The budget identifies all major expenditure categories, and the associated total sums for each are in line with industry standards. MBI considers the proposed project cost on a per unit basis, comparing it to other Project Groups proposed in the funding round with similar characteristics. Additionally, the project cost for Round 2 projects will be evaluated against projects with similar characteristics that were awarded grants in Round 1.

**12 points:** The proposed project budget is reasonable and generally well-justified, but there may be some minor areas where per unit costs are slightly higher than comparable projects.

**8 points:** The proposed project budget is reasonable, but there are discrepancies or areas where further clarification is required. The justification may be adequate, but there are concerns about the overall accuracy of the budget.

**4 points:** The proposed project budget raises serious concerns about its reasonableness and/or accuracy, and the justification provided is inadequate or unclear.

**0 points:** The budget has one or more of the following issues: budget is incomplete; budget is not reasonable; budget is not accurate in material aspects; No reasonable project budget and there is no attempt to justify or explain the budgetary decisions.

#### **Use of Existing Infrastructure**

Gradation of points based on the quality and efficiency of leveraging existing infrastructure:

**4 points:** Through the submitted budget narrative, the Applicant clearly articulates how existing assets reduce cost of the project and/or how the existing infrastructure reduces the timeline for project delivery. There is an appropriate level of detail regarding the types of infrastructure will be leveraged. The approach is feasible and viable.



**2 points:** Through the submitted budget narrative the Applicant provides a plan for leveraging existing infrastructure, but there are some gaps, lack of clarity or uncertainties in how it will efficiently reduce project costs and/or schedule duration.

**0 points:** The applicant does not intend to leverage existing infrastructure..

### 7.2.3. Experience in implementing projects of similar size and complexity (16 Points)

Applicants must provide examples of at least 1, and up to 4 successful projects of a similar size and scale to meet the requirements of this section. In examples, the following criteria must be included.

- a) Overview of project size and scale, making specific reference to number of units/customers served, timeline for project execution, subcontractors used.
- b) Project narrative outlining the key project activities, processes (construction, installation, service delivery) and outcomes.
- c) Technical summary outlining the technologies and equipment used along with specific notation of how the technology deployed aligns with the minimum network requirements outlined in section 7.1.1 of this RFP.
- d) Description of what funding sources were used to support these programs. If grant funds were used, please describe the conditions and reporting requirements of the grant and how the applicant met those requirements.

Note: The above descriptions of experience and readiness should justify the number of units the Applicant has proposed to serve in its Application.

#### 7.2.3.A Scoring Criteria

Applicants will be scored on a gradation of points based on the relevance and quality of project examples:

**4 points** for each successful project example, up to 3 examples, submitted that is similar in scope and was completed in the past 3 years. Similar scope and size will be determined based on items a – d above.

### 7.2.4 Community Benefits (Up to 12 points awarded)

The applicant must provide a narrative regarding the kind of community benefits they plan to offer as part of their Residential Retrofit program. These benefits may include but are not limited to free wifi in common areas, device distribution, digital literacy efforts, new facilities and operations in local communities during the project period and that may continue beyond the performance of the grant activities.

Applicants are not required to participate in community/tenant engagement activities and shall indicate so in their submitted narrative.

#### 7.2.4.A Scoring Criteria

The scoring will be determined based on :

- 4 Points: Commitment to provide free WiFi in common areas of the building.
- 4 Points: Commitment to provide devices (laptops w/ minimum 8GB RAM, 128GB storage, CPU equivalent to Intel Core i3) to residents at a ratio of at least 1 device for every 4 units.
- 4 Points: Commitment to contract with a third-party digital literacy or navigation training partner to provide services on site. Must be supported by a signed letter of commitment from that service provider.

Note that these points can be accumulated for a total not to exceed 12 points in this category.

### 7.2.5. Organizational capacity and resources (Up to 12 Points)

This section will allow MBI to assess the Applicant's organizational capacity and resources to deploy and operate the proposed project. Applicants must demonstrate that existing personnel and/or partners are in place for each of the following four (4) key areas:

- Customer acquisition
- Project installation
- Project operation
- Customer service

Applicants must provide an organizational chart(s) outlining the key staff within the four areas above and must submit the bios or resumes of key project personnel in the four (4) areas discussed above.

Applicants must also describe key business partners and/or subcontractors that will help deliver the proposed project and the roles and responsibilities of each entity in the four (4) areas discussed above, as applicable.

#### 7.2.5.A Scoring Criteria

Applicants utilizing key business partners will be scored in the following way under this section:

##### Organizational Charts: 4 points

- **4 points:** A clear and comprehensive organizational chart is provided.
- **2 points:** An organizational chart is provided, but it lacks clarity or completeness.
- **0 points:** Level of information provided is insufficient to render an evaluation or the organizational chart raises concerns about the ability of the project team to successfully complete the project.

##### Bios or Resumes of Key Project Personnel: 4 points

- **4 points:** Bios or resumes are provided, and they are relevant and detailed.
- **2 points:** Bios or resumes are provided, and they are relevant, but some key details are missing.
- **1 point:** Bios or resumes are provided but lack relevance or detail.
- **0 points:** Level of information provided is insufficient to render an evaluation.

##### Description of Key Business Partners: 2 points

- **2 points:** Comprehensive and relevant information about each business partner is provided.
- **1 point:** Information about business partners is provided, but it lacks depth or relevance.
- **0 points:** Level of information provided is insufficient to render an evaluation or the description of key partners raises concerns about the ability of the partnership(s) to support the project.

##### Roles and Responsibilities: 2 points

- **2 points:** Clear and specific roles and responsibilities are outlined for each entity.
- **1 point:** Roles and responsibilities are mentioned but lack clarity or specificity.
- **0 points:** Level of information provided is insufficient to render an evaluation or the description of roles and responsibilities raises concerns about the ability of the partnership(s) to support the project.

If an Applicant does not intend to have key business partners and instead will only use in-house resources, use the following scoring guidelines:

##### Organizational Charts: 6 points

- **6 points:** A clear and comprehensive organizational chart is provided.
- **3 points:** An organizational chart is provided, but it lacks clarity or completeness.
- **0 points:** Level of information provided is insufficient to render an evaluation or the organizational chart raises concerns about the ability of the project team to successfully complete the project.

##### Bios or resumes of Key Project Personnel: 6 points

- **6 points:** Bios or resumes are provided, and they are relevant and detailed.
- **3 points:** Bios or resumes are provided, and they are relevant, but some key details are missing.
- **1 point:** Bios or resumes are provided but lack relevance or detail.

- **0 points:** Level of information provided is insufficient to render an evaluation or raises concerns about the level of expertise of the key project personnel to successfully complete the project.

### 7.2.6 Labor and workforce standards (Up to 10 points awarded)

The Applicant must describe their organization’s current strategy as it relates to ensuring good jobs for the Applicant’s employees. Applicant must include:

- Description of training, certification, and or/licensure requirements for each job title required to carry out the proposed work (including contractors and subcontractors) as well as internal policies and controls to ensure that staff have and maintain appropriate credentials.
- Description of track record and commitment to maintaining high standards of workplace safety and training and the expected workforce safety standards for Retrofit Program-funded projects.

Applicants may also submit additional information regarding:

- Current or planned future efforts to support talent with wraparound services and/or stipends, including transportation benefits, childcare subsidies, or other similar measures.
- Describe the current workforce development strategy that is sectoral-focused as it relates to recruitment, training, hiring, upskilling, and advancing talent. This could include a description of current and planned future recruitment and hiring practices, especially those that maximize use of local or regional workforce, as well as project labor agreements in connection with the projects.
- Description of current and planned future efforts to diversify talent pipeline from underrepresented and/or underserved individuals including any statewide, regional, or local partnerships in place to support recruitment and hiring.
- Description of any current and planned future partnerships with external partners including, but not limited to labor unions, workforce training and development organizations, State and local workforce boards, educational institutions, community-based organizations, or others.
- Description of any current and planned future workforce training, certification, and licensure (e.g., in-house training, safety training, industry-recognized certifications, and offer of vocational training, apprenticeships, pre-apprenticeships, or other “earn and learn” opportunities).

#### 7.2.6.A Scoring Criteria

##### **Partnership with Workforce Training Organizations**

**4 Points:** Applicant demonstrates commitments to working with an external partner to support recruitment training activities in any sector relevant to the Residential Retrofit Program (low voltage cabling, fiber construction, network design/management, IT support, or other relevant sector). Demonstrated commitment must be verified via submission of a signed letter from a workforce training provider that outlines the nature of the partnership, timeline for training, and expected outcomes.

**0 Points:** Applicant does not submit demonstrated commitment with workforce providers.

##### **Workforce and Labor Best Practices**

**6 points:** The Applicant demonstrates a commitment to all the following: high safety and training standards, professional certifications, and licensure; and prioritizes the hiring of local workers or workers from historically disadvantaged communities (HDCs).

**4 points:** The Applicant demonstrates a commitment to at least three of the following: high safety and training standards, professional certifications, and licensure but may have minor gaps or lacks specific details regarding certain aspects, such as certifications or training programs; and prioritizes the hiring of local workers or workers from historically disadvantaged communities.

**2 points:** The Applicant demonstrates a commitment to at least two of the following: high safety and training standards, professional certifications, and licensure but may have minor gaps or lacks specific details regarding certain aspects, such as certifications or training programs; and prioritizes the hiring of local workers or workers from historically disadvantaged communities.

**0 points:** No sufficient evidence of meeting high safety and training standards or does not prioritize the hiring of local workers or workers from historically disadvantaged communities.

### 7.2.7. Financial capability (10 points):

MBI will assess the financial capacity of the Applicant for the proposed project by evaluating the Applicant's ability to operate and maintain the new infrastructure project beyond 2026. The Applicant must satisfy this submission requirement through one of the following methods:

- Applicants must provide five (5) years of audited financial statements or financial records of the Applicant and parent company; or
- If the Applicant does not have audited financial statements, the Applicant must submit five (5) years of unaudited financial statements along with a statement signed by either the Applicant's chief executive officer or chief financial officer affirming that the unaudited financial statements are true and correct.

Applicants must also provide evidence of officer certification of compliance with local, state, and federal tax laws and compliance with all applicable regulatory requirements. In addition, Applicants must demonstrate that they have at least five (5) years of existing positive cash flow or financial resources on hand to sustain at least five (5) years of future operations to meet the requirement for this section.

#### 7.2.7.3.A Scoring Criteria

#### **If Financial Statements are provided (10 points):**

##### **Type of Financial Statements (Up to 2 points)**

- 2 Points: Financials audited
- 1 Point: Financials are unaudited

##### **Increasing cash balance (up to 2)**

- 2 points: Cash position increased in at least 3 out of the last 5 years and is higher than 5 years ago
- 1 Point: Cash position has increased in at least 2 years and is in total higher than 5 years ago, or increased in at least 3 years but is lower than 5 years ago
- 0 Points: Cash has not increased in at least 2 years

##### **Debt to Equity Ratio (total liabilities/total equity) (2 point)**

- 2 Points: Debt to Equity Ratio is 2 or below
- 0 Points: Debt to Equity Ratio is above 2

##### **Current Liquidity Ratio (current assets/current liabilities) (1 point)**

- 1 point: Current Ratio is 1.2 or higher
- 0 points: Current Ratio is below 1.2

##### **Profitability (up to 3)**

- 3 Points: Profitable in all 5 years
- 2 Points: Profitable in at least 2 of the 5 years and total profit is positive over 5 years
- 1 Point: Profitable in at least 2 years but total profit over last 5 years isn't positive
- 0 Points: Not profitable in at least 2 years of the last 5

### 7.3 Bonus Scoring Criteria

In addition to the Scored Requirements outlined in Section 7.2, Applicants can earn up to 35 additional Bonus Points. Applicants are not required to submit documentation for these criteria and these points do not count towards an Applicant's threshold requirements or minimum scoring requirement of 50 points.

#### **Bonus Scoring Criteria**

Leveraging Public Broadband Infrastructure	5
Open Access	10
Bulk Service	10

### 7.3.1 Leveraging Public Broadband Infrastructure (Up to 5 points)

The Applicant may submit a narrative describing to what extent they plan to leverage existing public broadband infrastructure assets and indicate how that leveraging reduces project costs or expenses to create a stronger Application. Applicants should indicate which publicly-controlled real estate assets they would utilize, including but not limited to, the MassBroadband 123 middle-mile network, and the resulting reduction of project operational costs and expenses.

#### 7.3.1.A Scoring Criteria

Applicants that commit to using backhaul or ISP service offered over a publicly owned network will receive 5 points.

### 7.3.2 Open-access infrastructure (Up to 10 points awarded)

Open-access infrastructure is infrastructure that is used to make a network where more than one ISP can provide retail internet services over the same network infrastructure, allowing subscribers to decide from which ISP they will purchase their internet services.

Applicants may submit a narrative indicating whether they plan to provide open-access use of their network and equipment. Applicants may propose open-access arrangements ranging from provision lit fiber services for other ISPs, to installation of second pathways or shared conduits to Properties that allow other ISPs to provide their own service (or other arrangements that would lower barriers to entry for serving Properties by other ISPs).

Applicants are not required to offer open-access options.

#### 7.3.2.A Scoring Criteria

The scoring will be determined based on

- **10 points:** True open access: allowing any other ISPs to utilize the funded assets constructed under this grant program.
- **5 points:** Proposed plan includes shared conduit that can accommodate at least 2 other ISPs
- **0 points:** No open access provisions

### 7.3.3 Bulk or enterprise purchase options for Affordable Housing Property Owners (Up to 10 points awarded)

The Applicant may indicate if and how they might provide bulk or enterprise scale purchase options for Affordable Housing Property Owners. Bulk or enterprise purchase options would involve the Property Owner entering into a contract with an ISP to provide universal service to all units within a given property at a set service and rate.

If the Applicant chooses to propose a bulk service option they must: (1) guarantee service levels of at least 100/20 to each unit; (2) be able to provide individual units an opportunity to upgrade their service levels on a unit-by-unit basis; and (3) propose backhaul service in alignment with the applicants proposed oversubscription ratio as outlined in the response to section 7.1.1.

The Applicant is responsible for installing the appropriate building and in-unit equipment that will enable shared service of a bulk or enterprise ISP subscription while not precluding an individual unit from purchasing their own wireline subscription. These contracts do not preclude any resident purchasing their own individual subscription if they so choose.

Applicants must submit a rate sheet for all bulk service offerings and a detailed narrative outlining the equipment and technical specifications required to share service between units.

#### 7.3.3.A Scoring Criteria

The scoring for requirement 7.3.3 will be determined based on the affordability levels of bulk service based on a per

unit basis.

#### Bulk Service points

- 10 Points: Cost of bulk service is free
- 8 Points: Cost of bulk service is less than \$10.99/unit/month
- 6 Points: Cost of bulk service is between \$11 – 20.99/unit/month
- 4 Points: Cost of bulk service is between \$21 – 25.99/unit/month
- 2 Points: Cost of bulk service is between \$26 - 30/unit/month
- 0 Points: Cost of bulk service is greater than \$30/unit/month

## 8. Monitoring and Compliance Requirements

### 8.1 Site Visits

MBI reserves the right to visit project locations at its sole discretion to verify compliance with funding agreement requirements.

### 8.2 Reporting Requirements

Quarterly project status and expenditure reports submitted to MBI shall comply with all CPF reporting requirements and must include, but not be limited to:

- Project description
- Project location(s)
- Project start and end date
- Project status
- Total CPF funding for project
- Total amount from all funding sources, including but not limited to non-CPF federal funding sources, and private funding sources
- Project obligations
- Project expenditures
- Major activities description
- Number and location of households, businesses, and anchor institutions served
- Location of communities to be served
- Description of how equity and community engagement activities informed project selection and design.
- Whether the project is designed to, upon completion, reliably meet or exceed symmetrical 100 Mbps download and upload speeds
- Technology type
- Project ownership (e.g., private, public private partnership, municipal government, tribal government, non-profit, cooperative)
- Miles of fiber installed
- Whether each location served is residential, commercial, or a community anchor institution
- Pricing offered (speed tiers to be offered, including the speed/pricing of its affordability offering).
- Percentage of each milestone completed during the reporting period
- Any other factors or challenge that might have impact on the progress of project

Annual Performance Reports submitted to MBI must include, but not limited to:

- Executive summary including high-level overview of Grantee’s actual uses of funding and progress made
- Short narrative describing intended and actual uses of funds
- Efforts and outcomes to promote equity and address critical needs
- Description of workforce practices
- Community engagement activities
- Civil rights compliance

Upon achieving final completion of construction of the project, the Grantee shall submit a final project report with appropriate supporting documentation for MBI’s review and approval.

The final project report shall include a certification signed by a senior executive of the Grantee and a list of all addresses passed by the broadband infrastructure constructed by the Grantee.

### 8.3 Project Completion Date

Projects receiving funds under the Funding Agreement must reach substantial completion before September 31, 2026.

### 8.4 Service Duration

MBI requires Grantees to offer broadband service through December 31, 2034, in compliance with the requirements outlined in the SLFRF and CPF Supplementary Broadband Guidance (“Guidance”) issued by the U.S. Treasury on May 17, 2023.<sup>2</sup>

### 8.5 Contractor Classification

Successful Applicants for the Residential Retrofit Program will be classified as Contractors (subject to a final determination on a case-by-case basis after selection) consistent with federal Guidance. Applicants should review the relevant federal Guidance for additional information.

### 8.6 Ownership of Infrastructure

While title to real property or equipment associated with a broadband infrastructure project awarded under this Program vests in the Grantee, Applicants should note that the federal government maintains a federal interest in property associated with a broadband infrastructure project funded with CPF and substantially completed by December 31, 2026. The Federal Interest Period runs through December 31, 2034. Respondents should refer to the Guidance for specific conditions imposed by the federal government on real property and equipment during the Federal Interest Period. See [SLFRF and CPF Supplementary Broadband Guidance \(treasury.gov\)](https://www.treasury.gov/press-releases/2023/05/17/20230517). Please also refer to MBI’s reservation of rights to use three (3) strands of fiber discussed above.

### 8.7 General Conditions

- a. If an Application fails to meet any material terms, conditions, requirements, or procedures, it will be deemed unresponsive and disqualified. MassTech reserves the right to waive omissions or irregularities that it determines to be not material.
- b. This Solicitation, as may be amended from time to time by MassTech, does not commit MassTech to select any firm(s), award any grants pursuant to this Solicitation, or pay any costs incurred in responding to this Program. MassTech reserves the right, in its sole discretion, to withdraw the Program, to engage in preliminary discussions with prospective Applicants, to accept or reject any or all Applications received, to request supplemental or clarifying information, to negotiate with any or all qualified Applicants, and to request modifications to Applications in accordance with negotiations, all to the same extent as if this were a Request for Information.
- c. On matters related solely to this Solicitation that arise prior to an award decision by the MassTech, Applicants shall limit communications with the MassTech to the Procurement Team Leader and such other individuals as MassTech may designate from time to time. No other MassTech employee or representative is authorized to provide any information or respond to any questions or inquiries concerning this Program. Applicants may contact the Procurement Team Leader for this Program in the event this Solicitation is incomplete.
- d. MassTech may provide reasonable accommodations, including the provision of materials in an alternative format, for Applicants with disabilities or other hardships. Applicants requiring accommodations shall submit requests in writing, with supporting documentation justifying the accommodations, to the Procurement Team Leader. MassTech reserves the right to grant or reject any request for accommodations.
- e. Applicant’s Application shall be treated by MassTech as an accurate statement of Applicant’s capabilities and experience. Should any statement asserted by Applicant prove to be inaccurate or inconsistent with the

---

<sup>2</sup> See <https://home.treasury.gov/system/files/136/SLFRF-and-CPF-Supplementary-Broadband-Guidance.pdf>

foregoing, such inaccuracy or inconsistency shall constitute sufficient cause for MassTech in its sole discretion to reject the Application and/or terminate of any resulting Agreement.

- f. Costs that are not specifically identified in the Applicant's response and/or not specifically accepted by MassTech as part of the Agreement will not be compensated under any contract awarded pursuant to this Program Application Guide.
- g. Submitted responses must be valid in all respects for a minimum period of sixty (60) days after the deadline for submission.
- h. MassTech embraces a workplace where the values of diversity and inclusion support varying perspectives and backgrounds to produce a richer environment. MassTech expects Applicants as well as all our consultants, contractors, and vendors, to demonstrate a similar commitment and, pursuant to 2 C.F.R. § 200.321(a), take all necessary affirmative steps to assure that minority businesses, women's business enterprises, and labor surplus area firms are used when possible. MassTech's prior approval is required for any subcontracted services under any Agreement entered into as a result of this Program Application Guide. If Applicant will be subcontracting under this Program, affirmative steps must include at least the following six steps: 1. Placing qualified small and minority businesses and women's business enterprises on solicitation lists; 2. Assuring that small and minority businesses and women's business enterprises are solicited whenever they are potential sources; 3. Dividing total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by small and minority businesses, and women's business enterprises; 4. Establishing delivery schedules, where the requirement permits, which encourage participation by small and minority businesses, and women's business enterprises; 5. Using the services and assistance, as appropriate, of such organizations as the Small Business Administration and the Minority Business Development Agency of the Department of Commerce; and 6. Requiring all subcontractors to take the same affirmative steps as listed in numbers 1 through 5. The selected Applicant is responsible for the satisfactory performance and adequate oversight of its subcontractors. Subcontractors are required to meet the same requirements and are held to the same reimbursable cost standards as the selected Applicant.
- i. Applicant shall not discriminate against any qualified employee or Applicant for employment because of race, color, national origin, ancestry, age, sex, religion, physical or mental handicap, or sexual orientation. Applicants shall comply with all applicable Federal and State statutes, rules and regulations prohibiting discrimination in employment including but not limited to: the Americans with Disabilities Act, as amended (42 U.S.C. §§ 12101 et seq.), Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794), Title VI of the Civil Rights Act of 1964, as amended (42 U.S.C. §§ 2000d et seq.), the Age Discrimination Act of 1975, as amended (42 U.S.C. §§ 6101 et seq.), M.G.L. c. 151B, M.G.L. c. 272 §§ 92A, 98, and 98A, M.G.L. c. 111 § 199A, 42 U.S.C. 9918 (c) and 45 C.F.R. 80.
- j. Byrd Anti-Lobbying Amendment (31 U.S.C. 1352) – Applicants that are awarded an amount exceeding \$100,000 must certify that it will not and has not used Federal appropriated funds to pay any person or organization for influencing or attempting to influence an officer or employee of any agency, a member of Congress, officer or employee of Congress, or an employee of a member of Congress in connection with obtaining any Federal contract, grant or any other award covered by 31 U.S.C. 1352. Each Applicant must also disclose any lobbying with non-Federal funds that takes place in connection with obtaining any Federal award.
- k. Debarment and Suspension- (Executive Orders 12549 and 12689) – Applicants understand that a contract award may not be made to parties listed on the government-wide exclusions in the System for Award Management (SAM).
- l. Applicants must be able to comply with all applicable standards, orders or regulations issued pursuant to the Clean Air Act (42 U.S.C. 7401-7671q) and the Federal Water Pollution Control Act as amended (33 U.S.C. 1251-1387). Violations must be reported to the Federal awarding agency and the Regional Office of the Environmental Protection Agency (EPA). The Applicants shall comply with all other applicable federal environmental laws and regulations.
- m. As appropriate and to the extent consistent with law, Applicants should, to the greatest extent practicable, provide a preference for the purchase, acquisition, or use of goods, products, or materials produced in the United States. The requirements of this section must be included in all contracts and sub awards awarded hereunder.



- n. Applicant understands and agrees that the Executive Office of Economic Development (“EOED”) staff and authorized representatives may evaluate any subcontractors with whom MassTech executes a contract or other form of legal agreement in order to complete the activities funded under this Program, through ongoing monitoring. As deemed appropriate by EOED, EOED’s staff and authorized representatives may also conduct further reviews and site-visits during the contract term, which may include fiscal reviews. EOED staff shall use interviews, inspection of files, site visits and direct observation to identify program areas of concern so that contractors can improve their productivity, efficiency, quality, and management capacity.
- o. The Grantee shall maintain and utilize systems and procedures to prevent, detect, and correct fraud, waste, and abuse in activities funded under this Program.
- p. The Grantee shall maintain records pertinent to the Funding Agreement in a manner consistent with 2 C.F.R. § 200.334.
- q. Pursuant to 2 C.F.R. § 200.303, the awarded Applicant shall establish effective control over, and accountability for, all funds, property, and other assets funded under this Program and assure that they are used solely for authorized purposes.
- r. The Grantee shall maintain an accounting system and supporting fiscal records adequate to audit and otherwise verify that assistance payments and administrative costs meet Federal and State requirements.
- s. A Grantee shall use its best efforts to ensure that it will not knowingly use contract funds to purchase, or enter into contracts to purchase, any equipment, services, or systems that use prohibited telecommunications equipment or services as a substantial or essential component of a system subject to 2 CFR § 200.216, see also 2 C.F.R. § 200.313 regarding equipment purchased with a federal award.
- t. Grantee and its Subcontractors shall be subject to the Contract Work Hours and Safety Standards Act 40 U.S.C. 3701-3708 (on contracts in excess of \$100,000 that involve the employment of mechanics or laborers). Under 40 U.S.C. 3702 of the Act, each contractor must be required to compute the wages of every mechanic and laborer on the basis of a standard work week of 40 hours. Work in excess of the standard work week is permissible provided that the worker is compensated at a rate of not less than one and a half times the basic rate of pay for all hours worked in excess of 40 hours in the work week. The requirements of 40 U.S.C. 3704 are applicable to construction work and provide that no laborer or mechanic must be required to work in surroundings or under working conditions which are unsanitary, hazardous or dangerous. These requirements do not apply to the purchases of supplies or materials or articles ordinarily available on the open market, or contracts for transportation or transmission of intelligence.
- u. To the extent applicable, an awarded applicant and its subcontractor(s) shall procure all materials or products in accordance with applicable federal, state and local laws, including but not limited to the Domestic Preferences requirements as set forth in 2 CFR 200.322 of the Uniform Guidance, and any special procurement requirements imposed by MassTech, as applicable. See also 2 C.F.R. § 200.313 regarding equipment purchased with a federal award.