

CONNECT MT BROADBAND PROGRAM

TECHNICAL ASSISTANCE WEBINAR



April 19th, 2022

MORNING AGENDA

- ✓ **Introduction** *Chad Rupe*
- ✓ **Website** *Chad Rupe*
- ✓ **Challenge Process** *Mitch Hergett / Angie Nelson*
- ✓ **Subrecipient Agreement** *Don Harris*
- ✓ **Reimbursement Process** *Chad Rupe / Angie Nelson*
- ✓ **Reporting Requirements** *Chad Rupe*
- ✓ **Timeline** *Chad Rupe*
- ✓ **Questions** *All*



Website Orientation

<https://connectmt.mt.gov/>



DEPARTMENT OF ADMINISTRATION

Broadband - Connect MT and Communications Advisory Commission

The 2021 Legislature passed and Governor Gianforte signed SB297 creating the ConnectMT Act. The Department of Administration (DOA) is responsible for establishing and administering the broadband infrastructure deployment program. The Department will be responsible for receiving and reviewing responsive proposals and awarding contracts. Before awarding any contracts, contracts will be reviewed by the Communications Advisory Commission created by HB632 to oversee Montana's American Rescue Plan Act dollars. The Governor will then approve any proposal recommended for funding by the Department. The Communications Commission's meetings will be noticed on this website.

The DOA is currently building the state's broadband program. Working with the Commission and the Governor's Office, DOA will develop the open process for submission of proposals for funding required in SB297. Eligible providers may be awarded funding for projects in unserved, underserved or frontier areas. DOA will hire broadband deployment experts to staff the Broadband Task Force within the department.

SB 297 defines Frontier and Unserved areas, and HB632 defines Underserved areas:

Advisory Commission Members

- Senators Dan Salomon
- Jason Ellsworth
- Janet Ellis
- Representatives Mike Hopkins
- Ed Buttrey
- Katie Sullivan
- Director Misty Ann Giles
- Director Scott Osterman
- Director Scott Sales

Website includes:

- FAQs
- Information about the statewide broadband map, federal resources, announcements, events, webinars, forms, and guides
- Application link and guidance
- Project challenge process
- Awards
- Auditing and reporting
- Contact information




CHALLENGE APPLICATION

<https://connectmt.mt.gov/>

MONTANA.GOV
OFFICIAL STATE WEBSITE

SERVICES AGENCIES LOGIN SEARCH MONTANA.GOV



CONNECT MT

Home Information Apply Awards Auditing & Reporting

FAQS

Welcome to the Connect MT website

One Stop Broadband Resources


CONTACT US

"The ConnectMT Program is extending the application deadline to noon MDT April 29th, 2022. Due to significant demand for broadband funding, customer service needs for this inaugural program, and industry constraints during this time period, this extension is intended to allow applicants more time to collect the necessary documentation to meet the requirements for submitting a complete application. The Connect MT Program also intends to hold additional technical assistance workshops during the month of April covering topics such as the challenge process, allocation agreements, permitting, and servicing requirements for awardees. Please continue to monitor the ConnectMT website, connectmt.mt.gov, for further information and future announcements regarding the workshops."

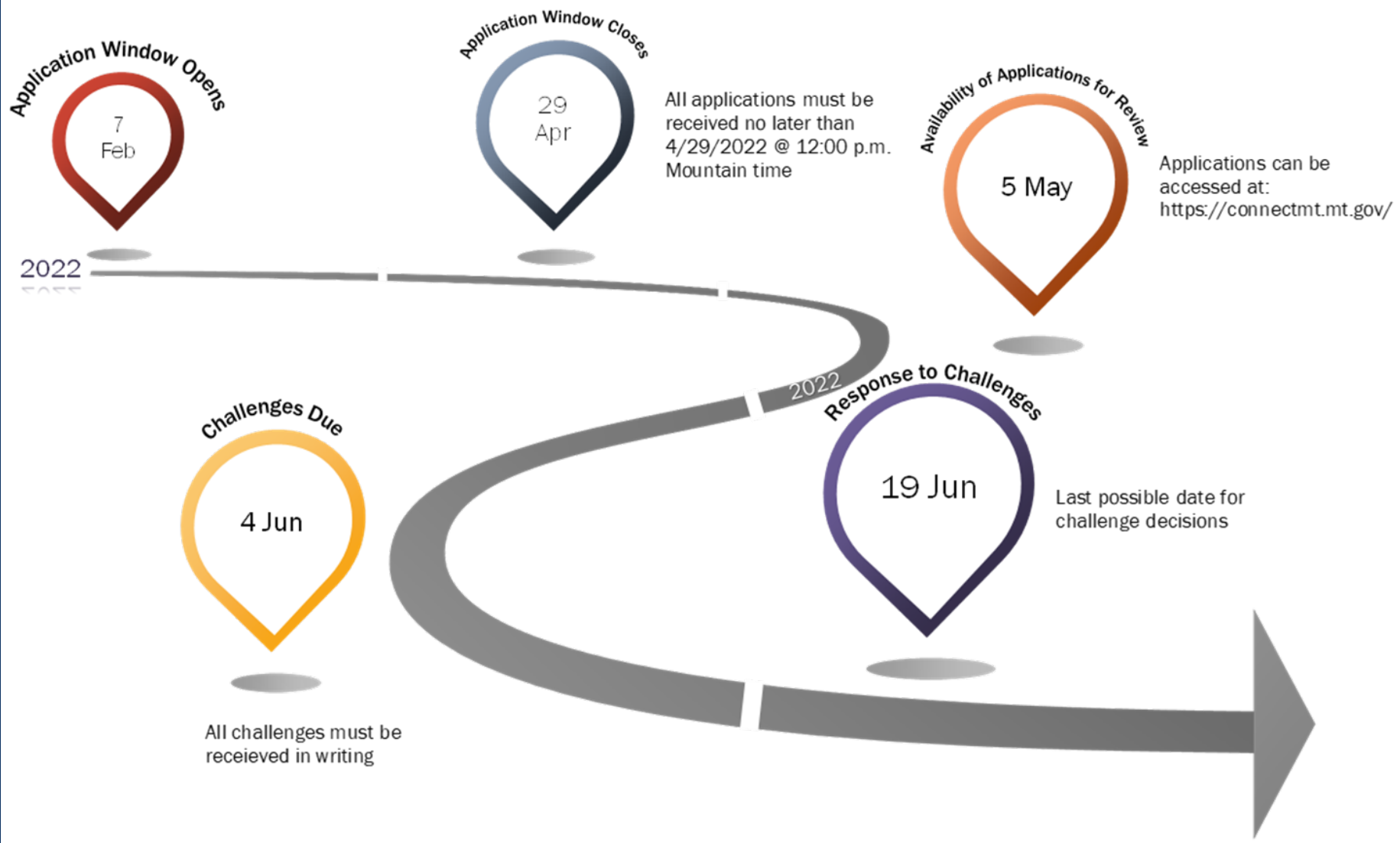
The ConnectMT Program updated the Statewide Broadband Map on February 22, 2022 at 5:30pm local time with the following items:

- Colors and shapes for the points on the map have been updated to allow for more differentiation between serviceability categories (served vs. underserved, etc);
- Secondary Structures (such as farms, barns) at an address have been removed from the map as much as possible to allow for a focus on the primary address for a property;
- Data anomalies have been removed from the map as much as possible;
- Updated counts for both the County and Tribal Land boundaries in order to reflect that there are less points being displayed on the map (i.e., removal of structures);
- Duplicate Tribal Land names have been resolved by using the official names (vs. short form) for Tribal Lands from the Search tool (e.g., Fort Peck appearing twice);
- Map Descriptions have been updated to include some updated information.

Application Information



CHALLENGE PROCESS TIMELINE



CHALLENGE PROCESS OVERVIEW

Challengers

Challenge period opens five (5) business days after the submission window closes, applications can be viewed on the website: <https://connectmt.mt.gov/>

Only ConnectMT Applicants may participate in the challenge process

Challenges are due within **30 days** after the release of applications
Challenges must be made through Submittable

The burden of substantiating a challenge is the responsibility of the challenger

CHALLENGE PROCESS OVERVIEW

Department of Administration (DOA)

DOA will review all submitted challenges

Within a **15-day** period DOA will make a determination on whether challenge is valid

The **15-day** review period will not start until DOA confirms the challenger has provided sufficient data to support their claim

Once the **15-day** review period is initiated, DOA will notify the challenger and the original applicant

When required DOA will contact the challenger (or original applicant) to obtain additional information

As required DOA will perform onsite plant inspection and service validation work

CHALLENGE PROCESS OVERVIEW

Original Applicants

Where challenges are substantiated, applicants will be given the opportunity to modify their submissions

Applicants have **5 days** to complete their modification and resubmission

Applicants who chose to modify their submission can request DOA to unlock their application, perform required edits, and resubmit the application

ANTICIPATED CHALLENGE SCENARIOS

It is anticipated that the majority of challenges will be tied to the following scenarios:

- A challenger disputes the identified status of Serviceable Locations within an application's proposed service area
- A challenger identifies that federal funds are allocated for the deployment of broadband services (*meeting or exceeding ConnectMT requirements*) for Serviceable Locations within an application's proposed service area
- A challenger provides existing service (*not meeting ConnectMT requirements*) to Serviceable Locations within an application's proposed service area and intends to upgrade their network to meet the necessary standards outside of the ConnectMT program

DOA has invited Montana broadband service providers to provide their service coverage area information for public use as part of developing the ConnectMT map. The window for data collection is still open!

It is expected there will be challenges not related to the scenarios above.....

SCENARIOS THAT SHALL NOT REQUIRE A CHALLENGE

The following scenarios would be addressed by DOA's application review process NOT the challenge process:

- Two overlapping applications proposing new service in an unserved area
- An application that overlaps with served locations already identified on the ConnectMT map
- The viability of an application (technical, financial, etc..)

CHALLENGE SUBMISSION SUPPORT INFORMATION

Substantiating a challenge is the responsibility of the challenger

Challenges will be uploaded via Submittable.

Challenges based on existing broadband infrastructure must at least include:

- A general narrative describing the details of the challenge including but not limited to the following:
 - What areas are being challenged
 - Why the area(s) are being challenged
 - Description of the services offered by the challenger
- GIS file showing the area(s) being challenged
- A list of locations served by the challenger in the challenged area
- A suitable sample of speed test data (collected from the CO)
- As-built documentation of the Challenger's existing infrastructure
 - PDF and/or GIS format

CHALLENGE SUBMISSION SUPPORT INFORMATION

Challenges based on a commitment to the Federal Government, must include at a minimum:

- A narrative describing the details of the challenge, including:
 - What areas are being challenged
 - Why the area(s) are being challenged
 - Description of the services committed by the challenger
 - A detailed timeline for deployment
- GIS file showing the area(s) being challenged
- A copy of the Federal grant application submission
- Documentation showing the challenger's successful award and commitment to provide broadband service
- A commitment letter to the State of Montana that shows the Challenger will meet the technical parameters of this program
- As-built documentation (or other forms) that show the Challenger is meeting commitments

CHALLENGE REVIEW AND VALIDATION

For each challenge, DOA will perform a desk review of all provided challenge support documentation

DOA will contact the challenger for additional information or clarification as required

If necessary, the challenger will be required to participate in a field survey providing access and support to the DOA staff

The challenger may be required to assist the DOA with validation tasks, such as:

- On-site field inspection of the challenger's infrastructure to verify submitted as-built documentation
- On-site testing of the challenger network to verify submitted performance testing

SUBRECIPIENT AGREEMENT

The Subrecipient shall comply with any U.S. Department of the Treasury or additional the Department reporting requirements necessary to comply with Connect Montana Act and ARPA.

- **Penalties**

- All penalties are limited to 100% of the allocation to the awardee under the ConnectMT Program's terms of agreement.
- The department may impose upon the awardee a penalty of up to 100% of the construction costs directly assignable to each identified service location (as defined by the following formula: total allocation / # of proposed locations) that fails to complete construction as agreed in the award.
- The department may impose upon the awardee a penalty of up to 100% the construction costs directly assignable for each completed buildout service location (as defined by the following formula: total allocation / # of proposed locations) that fails compliance review as a result of the following:
- Delivery speed (minimum download and upload with low latency).

SUBRECIPIENT AGREEMENT

- **Penalties (continued)**
 - Scoring chart points that were used as a basis for approval award allocation throughout the compliance service period as identified through departmental compliance reviews.
 - The department shall not impose penalties until the Communications Advisory Commission makes final determination of any penalties recommended by the ConnectMT Program throughout the compliance period.
- **Force Majeure**
- **Price Increases**
 - Federal awards may be taxable as income
- **Buy American**
- **Permitting Compliance / Due Diligence**

REIMBURSEMENT PROCESS

Online Reimbursement Requests through <http://www.connectmt.gov>

Eligible Costs can only be incurred after the award contract is granted

- No pre-application expenses

Monthly Pro Rata

Department -- (15) working days to process a request for reimbursement

Subrecipient shall provide banking information before or at the time of Contract execution in order to facilitate electronic funds transfer (EFT) payments.

Department may, in addition to the remedies available at law or in this Contract, withhold reimbursement to the Subrecipient until such time as the Department and the Subrecipient agree on a plan to remedy the deficiency.

REPORTING REQUIREMENTS

Quarterly Report

No later than thirty (30) calendar days after the end of each calendar year quarter during the period in which allocation funds are available for expenditure, the Subrecipient must submit to the Department utilizing the Department's online reporting system, the following information:

(awaiting U.S. Treasury guidance)

In addition, the Subrecipient must provide the Department with such other reports concerning the financial condition or operation of the Subrecipient, including its Subsidiaries, as the Department may request.



REPORTING REQUIREMENTS

Annual Performance Report.

3 years starting the first January 31st after Project Completion, the Subrecipient must submit the following information utilizing the Department's online reporting system:

- (i) existing network service improvements and facility upgrades, as well as new equipment and capacity enhancements that support high-speed broadband access for educational institutions, health care providers, and public safety service providers;
- (ii) the estimated number of end users who are currently using or forecasted to use the new or upgraded infrastructure;
- (iii) the progress towards fulfilling the objectives for which the assistance was allocated;



REPORTING REQUIREMENTS

Annual Performance Report (continued)

(v) the speed and average price of the most subscribed tier of the Subrecipient's broadband service offerings in the Project's service area; and

(vi) the average price of broadband service in the Project's service area.

(v) Audited Financial Statements IAW federal regulatory requirements.

Annual Map Reporting

No later than thirty (30) calendar days after the end of the Calendar Year, the Subrecipient shall be required to submit annually updated Approved Project Service Area(s) maps through the Department's online mapping tool showing the areas where construction has been completed and geospatial location of residences and businesses that are receiving new broadband service until the entire Approved Project Service Area can receive the broadband service.



REPORTING REQUIREMENTS

Close Out Report

(60) days after the completion of project or termination of the Award or expenditure of all Award funds, whichever event occurs last.

The close out report shall address:

- (i). a comparison of actual accomplishments to the objectives set forth in the Application and the awarded project;
- (ii). a description of problems, delays, or adverse conditions that occurred, or which affected the attainment of overall Project objectives, prevented the meeting of time schedules or objectives, or precluded the attainment of particular Project work elements during established time periods;
- (iii). a comparison of how funds were spent against the original general budget submitted with the Department approved Application, and
- (iv). a final buildout map on the Department mapping tool.



**STATE
PRIORITIES . . .
ARPA
DEPLOYMENT**

ARPA funded ConnectMT Program Application Window Closes	April 29
Publish Executive Summaries and Maps of Each Application	May 5
Challenge Window	May 6 – June 4
Department Review of Challenges	May 6 - June 19
Department review of ARPA applications	June 1-July 8
Communications Advisory Commission Reviews ARPA projects	July 19
Governor’s Office Approval of ARPA Projects	July 29
Update State Broadband Map to reflect ALL federal awards in MT	July 30
Obligate and begin servicing \$266 million in ARPA awards	August



QUESTIONS



Contact Us:

1.844.406.ARPA(2772) or visit connect.mt.gov

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