



REQUEST FOR PROPOSALS
RFP#: RFP-2517
For: Broadband Infrastructure Projects

The Rhode Island Commerce Corporation (“Corporation”) seeks proposals from eligible proposers to receive funding to design and build broadband infrastructure projects (“Projects”) in Project Areas in alignment with the National Telecommunications and Information Administration’s (“NTIA”) Broadband Equity, Access, and Deployment (“BEAD”) Program’s Notice of Funding Opportunity and program guidance as well as Rhode Island’s NTIA-approved Initial Proposal Volumes 1 and 2, and the NTIA’s Broadband Equity, Access, and Deployment Restructuring Policy Notice (“PN”). Proposers should familiarize themselves with these documents (see Important Links and Guides in the section below).

This document constitutes a Request for Proposals (“RFP”), in a competitive format, from qualified Internet Service Providers (“ISPs”). This request is an offer by the Corporation to underwrite, in accordance with the terms and conditions of this RFP, the services proposed by the successful firm(s), by subgrant.

The respondents (“Proposers”) to this RFP shall provide a proposal, in accordance with the terms and conditions set forth herein, to provide all of the services to the Corporation as described in the Scope of Work.

I. Definitions

The terms below, as used throughout this RFP, have the meanings prescribed to them as follows:

- “BEAD NOFO” means NTIA’s BEAD Notice of Funding Opportunity, available [here](#) and which supersedes the FATC (defined below)
- “BEAD Restructuring Policy Notice” or (“PN”) means NTIA’s policy notice issued on June 6, 2025, that modifies and replaces certain requirements outlined in the BEAD NOFO
- “Broadband Serviceable Location” (“BSL”) means a business or residential location in the United States at which fixed broadband Internet access service is, or can be, installed
- “CAI” means community anchor institution, which is an entity such as a school, library, health clinic, health center, hospital or other medical provider, public safety entity, institution of higher education, public housing organization, or community support organization that facilitates greater use of broadband service by vulnerable populations, including low-income individuals, unemployed individuals, and aged individuals.
- “ConnectRI” means the program established by the Corporation to allocate and monitor

federal broadband funds

- “CPAU” means a Critical Project Area Unit that is proposer-specified PAUs that are necessary to the proposer’s PA, due to the PAU’s position in the build plan, the economics of the PA, the proximity to pre-existing network assets, or other economic or operational factors. The Corporation expects that proposers would prefer to build first to CPAUs within a given PA and second to other PAUs within the same PA. PAUs not designated as CPAUs will be considered severable from the PA.
- “Deconfliction Process” describes the mechanism for deconflicting overlapping proposals to allow for like-to-like comparisons of competing proposals.
- “Eligible Entity” means the Rhode Island Commerce Corporation
- “Eligible Locations” means applicable BSLs or CAIs as identified in *Appendix B*
- “Eligible Subgrantees” means the entities set forth in Section IV.A of this RFP
- “Eligible Subscriber” means any household seeking to subscribe to broadband internet access service that is eligible for the FCC’s Lifeline Program
- “Environmental and Historic Preservation” (“EHP”) means the Federal Emergency Management Agency’s review process for ensuring the protection and enhancement of environmental, historic, and cultural resources, as required by Federal environmental and historic preservation laws and Executive Orders
- “Environmental Screening and Permitting Tracking Tool” (“ESAPTT”) means a tool within the NTIA Grants Portal that will help Eligible Entities serve as joint lead agencies for NEPA reviews by identifying applicable categorical exclusions and enabling paperless transmission of environmental documents and generation of draft and final NEPA documents
- Federal Award Terms and Conditions (“FATC”) means the BEAD Program’s Federal Award Terms and Conditions, attached as *Appendix C*
- “FW” means licensed fixed wireless technology
- “Gbps” means gigabits-per-second
- “IIJA” means the Infrastructure Investments and Jobs Act
- “IP” means the Rhode Island BEAD Initial Proposal, volumes 1 and 2 (IPV1 & IPV2).
- “LEO” means low earth orbit technology
- “LCSO” means low-cost service option
- “Mbps” means megabits-per-second
- “Minimum Requirements” means the minimum qualifications or representations/certifications that must be included in a Proposal for it to be complete and therefore eligible to be evaluated.
- Multiple Dwelling Unit (“MDU”) means a building or complex containing multiple, separate housing units, such as apartments, condominiums, duplexes, or triplexes, all on the same parcel of land
- “NEPA” means National Environmental Policy Act.
- “Projects” means broadband infrastructure projects that are eligible under BEAD
- “PA” means a Project Area comprised of one or more PAUs (and the BSLs and/or CAIs contained therein) that a particular proposer plans to serve, as stated in their proposal. PAs are to describe a contiguous set of PAUs or a set of closely proximate PAUs that the proposer plans to serve together using related infrastructure and operations. During the Deployment Subgrantee Selection Process proposers may specify more than one PA

within their proposal. Further details are below.

- “PAU” means Project Area Units are contiguous, indivisible geographic units defined by the Corporation and comprise the unserved BSLs and underserved BSLs (and CAIs, if enough funding remains) in that geographic area
- “Priority Broadband Project” (“PBP”) means a project that provides broadband service at speeds of no less than 100 megabits per second for downloads and 20 megabits per second for uploads, has a latency less than or equal to 100 milliseconds, and can easily scale speeds over time to meet the evolving connectivity needs of households and businesses and support the deployment of 5G, successor wireless technologies, and other advanced services
- “Period of Performance” – is a maximum period of 4 years from the date of the subaward for all technologies except for LEO providers¹
- “Federal Interest Period” means the Federal Interest on all real property of equipment acquired or improved as part of a subgrant for which the major purpose is a broadband infrastructure project. This is a period of 10 years after the year in which the subgrant for a project has been closed out in accordance with 2 CFR 200.344. For LEO providers there is no applicable Federal Interest in equipment or property acquired or improved
- “Selected Proposers” are interchangeably called “Subgrantees” herein
- “State” means the State of Rhode Island
- “Subaward Agreement” means the agreement between the Corporation and selected Proposer(s) to complete the Projects under the BEAD Program
- “Uniform Guidance” means the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (2 C.F.R. Part 200), inclusive of the procurement requirements applicable to subrecipients of federal grants, available [here](#).
- “Unserved” means a BSL that lacks access to 25/3 Mbps or a CAI that lacks access to 1000/1000 Mbps
- “Underserved” means a BSL that lacks access to 100/20 Mbps according to the BEAD Program
- “ULFW” means unlicensed fixed wireless technology

II. Important Links and Guides (Subgrantee Information Packet)

The BEAD Program is governed by State and federal rules, statutes, and regulations. All Projects must be managed in accordance with all applicable rules, including but not limited to the U.S NTIA BEAD Program guidance and the subsequent BEAD Restructuring Policy Notice. The Corporation recommends reviewing these websites and documents before beginning a Proposal, as well as prior to submission as federal and/or state program guidance may be updated.

- [Rhode Island Initial Proposal Volume I](#)
- [Rhode Island Initial Proposal Volume 2](#)
- [Infrastructure Investment and Jobs Act](#) of 2021, Division F, Title I, Section 60101, Public Law 117-58, 135 Stat. 429 (November 15, 2021) (codified at 47 U.S.C. § 1701 et seq.).
- [NTIA Broadband Equity Access and Deployment Program](#)
- [NTIA BEAD Notice of Funding Opportunity](#)

¹ Please refer to the PN for more detail on LEO Period of Performance.

- [BEAD Restructuring Policy Notice \(PN\)](#)²
- [NTIA BEAD Program Frequently Asked Questions](#)
- [Broadband Equity, Access, and Deployment \(BEAD\) Semi-Annual \(Technical\) Report Guidance](#)
- [BEAD Resource Index](#)
- [BEAD Subgrantee Qualifications Evaluation Guide](#)
- [Subgrantee Selection Primer: A Guide for Eligible Entities](#)
- [Tailoring the Application of the Uniform Guidance to the BEAD Program | BroadbandUSA](#)
- [NIST Framework for Improving Critical Infrastructure Cybersecurity](#)
- [BABA Act requirements](#)
- [BABA Final Waiver](#)
- [EPA.gov | BABA Approved Waivers](#)
- [Commerce.gov | BABA Waivers, FAQs, and Related Information](#)
- [BABA Compliance and Self Certification](#)
- [National Environmental Preservation Act](#)
- [National Historic Preservation Act | Advisory Council on Historic Preservation](#)
- [NTIA Guidance on NEPA Compliance](#)
- [Environmental & Historical Preservation Fact Sheet](#)
- [State of Rhode Island General Laws](#)
- [SupplyRI](#)
- [Rhode Island Department of Labor and Training: Find and Train Employees](#)
- [Rhode Island Department of Labor and Training: Comprehensive Support Service Directory](#)
- [MBE/WBE Directory](#)

Proposers are required to respond to, and incorporate into their responses, the requirements of the latest version of relevant federal guidance and documents, including the PN. Proposers are required to follow both federal guidance and State law in responding to this RFP. When State law conflicts with federal guidance, waivers to maintain State law have been sought by the Corporation. The Corporation cannot confirm that the linked versions above remain the most up-to-date after RFP publication.

III. Funding Requirements

This project is being supported, in part, by federal award number 44-20-B072, awarded to the State by NTIA. Additionally, NTIA issued the BEAD NOFO to describe the requirements under which it will award grants for the BEAD Program, authorized by the IIJA, Division F, Title I, Section 60102, Public Law 117-58, 135 Stat. 429 (November 15, 2021) (Infrastructure Act or Act) also known as the Bipartisan Infrastructure Law. On June 6, 2025, NTIA issued the subsequent BEAD Restructuring Policy Notice that modified and replaced certain requirements

² The BEAD PN supersedes the NOFO to the extent there is a conflict; otherwise, the NOFO language remains enforceable. Similarly, the BEAD PN takes precedence above the State's IP. A waiver request has been submitted to align RI State Law and the NTIA guidance. Where there is a conflict, this RFP maintains RI state law.

in the BEAD NOFO.

All proposals must be eligible uses under the IIJA, the BEAD NOFO, the PN, Rhode Island's IP, and State law.

Proposers must comply with the FATC and the Uniform Guidance, among other requirements. Proposers shall be responsible for any and all federal requirements or obligations in connection with the use of funding for any proposal, including, but not limited to, the dissemination of Form 1099s and reporting of funding usage and/or distribution in accordance with BEAD requirements as well as requirements imposed by the State and/or the Corporation. Proposers who are selected for funding are required to have an active registration with the System of Award Management (SAM or [SAM.gov](https://www.sam.gov)) (<https://www.sam.gov>) and a UEI ("Unique Entity Identifier") number.

IV. Eligible Subgrantees, Eligible Costs and Ineligible Costs.

A. Eligible Subgrantees

Eligible subgrantees include private entities, local governments, co-operatives, multiparty entities comprised of a combination of public entity members or private entity members including collaborative public private partnerships; all as set forth below.

The following types of entities may apply for BEAD grants:

- Private companies (e.g., corporations, limited liability companies, general partnerships, limited partnerships, etc.)
- Local governmental entities (e.g., municipalities or municipal light plants that offer broadband service)
- Tribal governments
- Nonprofit organizations
- Co-operatives, electric co-operatives, and public or private utilities
- Public utility districts
- Other entities that develop and/or operate broadband networks and can demonstrate the experience, capacity, and financial resources and stability to satisfy the grant obligations.

Partnership Proposals: Proposer(s) can be partnerships between private entities, public entities, or public-private partnerships. Partnerships should be clearly described in the Proposer's Project narrative and include detailed roles and responsibilities of each partner.

B. Eligible Costs

Subgrantees may only use federal award funds and any non-federal cost share committed to an award to pay for allowable costs under the BEAD Program. Allowable costs are determined in accordance with the cost principles identified in 2 C.F.R. Part 200, including Subpart E of such regulations for States and nonprofit organizations, and in 48 C.F.R. Part 31 for commercial organizations (the government has established a set of principles for determining eligible or allowable costs; allowable costs are determined in accordance with the cost principles applicable to the entity incurring the costs (for example, the allowability of costs incurred by State, Territorial, local, or federally) as well as in the grant program's authorizing legislation. In addition, costs must be reasonable, necessary, allocable, and allowable for the proposed Project or other eligible activity and conform to generally accepted accounting principles. Funds

committed to an award may only be used to cover allowable costs incurred during the period of performance and for allowable closeout costs incurred during the grant closeout process.

The Corporation may reimburse all eligible costs incurred after the execution of a Subaward Agreement up to the maximum project cost described therein. The selected Proposer(s) will be responsible for any cost-over-runs for any Project. Costs must be directly related to the upfront investment associated with installing and/or upgrading existing broadband facilities in the proposed PAUs on a one-time, capital improvement basis.

Eligible Costs include, but are not limited to:

- Make ready
- Design and engineering
- Permitting and regulatory compliance, including environmental, historical, and cultural reviews, building, and electrical
- Network equipment, fiber/cabling, facilities and materials
- Tower construction, base stations/access points
- Construction and installation
- Qualifying Long Drop, Non-Standard Customer Installation costs; Proposers may request funding to cover the cost of a “non-standard” customer installation that requires the customer to contribute to the upfront, non-recurring cost of the installation. The customer installation is defined as the broadband infrastructure service (aerial or conduit) running from a backbone or lateral fiber optic cable to an Unserved or Underserved BSL in a proposed PAU
- Customer premise equipment (“CPE”) (subject to exclusions below)
- Incidental Overbuild costs: Subgrantee must demonstrate that the proposed overbuild portions of the Project are the most cost-effective and necessary approach to reaching Unserved or Underserved BSLs
- Qualifying MDU costs
- Leases for terms longer than one year of facilities required to provide eligible broadband service, including Indefeasible Rights-of-Use agreements and capital leases
- Personnel costs including salaries and fringe benefits required for carrying out the Project
- Costs associated with monitoring and reporting requirements in compliance with the State and NTIA reporting requirements, including award closeout costs
- Costs associated with interspersed conduit access points at regular and short intervals for laying fiber optic cables or conduit underground or along a roadway
- Administrative costs³

C. Ineligible Costs

Ineligible costs include those costs that are unallowable under the applicable federal cost principles. Please note that costs ineligible for the BEAD Program may not be paid for with matching funds committed to an award. If a Subgrantee is found to have used grant or matching funds on a prohibited cost, the Corporation may take remediation action, including but not limited to de-obligation or claw back of funding. In addition, grant funds awarded to an Eligible

³ “Administrative Expenses” or “Administrative Costs” mean the costs incurred by a subgrantee related to the administration of its BEAD award, the provision of technical assistance to potential subcontractors, and compliance with grant administration and audit requirements.

Subgrantee under the BEAD Program shall be used to supplement, and not supplant, the amounts that the Eligible Subgrantee would otherwise make available for the purposes for which the grant funds may be used.

Ineligible costs include, but are not limited to:

- Acquisition of spectrum licenses
- Operating expenses (including salaries of staff operating the capital Project once completed)
- Short-term operation leases
- Payment of interest or principal on outstanding debt instruments
- Fees associated with the issuance of new debt
- Satisfaction of any obligation arising under or pursuant to a settlement agreement, judgement, consent decree, or judicially confirmed debt restructuring plan in a judicial, administrative, or regulatory proceeding
- Support or opposition of collective bargaining
- BEAD Program grant application preparation costs
- Expenses incurred prior to the execution of the funding agreement
- Facilities that are needed to deliver last-mile broadband service to Eligible Locations and incidentally pass ineligible locations are reimbursable, but expenditures solely to benefit ineligible locations are not reimbursable
- Customer drops, installations and equipment at ineligible locations
- Costs that appear excessive and/or without justification and costs not considered eligible
- For LEO providers, cost of CPE for each new subscriber is an ineligible cost.

V. Project Overview

The NTIA BEAD Program provides \$42.45 billion to expand high-speed internet access across the U.S. and territories. The Corporation has been designated as the administering agency of the BEAD Program in accordance with NTIA's NOFO and PN for BEAD and is responsible for the delivery, reporting, and compliance related to the \$108.7 million allocated through this program. The BEAD Program will be used to support the State's goal for broadband access:

Leveraging a best-in-class, resilient, sustainable and scalable broadband infrastructure to propel the State's 21st century economic, education, healthcare, civic, and social engagement, as well as quality of life, by ensuring all Rhode Islanders have access to affordable, accessible, high-speed internet in their homes, at their places of employment, and at public facilities...

BEAD Program funding allocated through this RFP will support expansion of broadband access to Unserved and Underserved locations by providing subgrants for last-mile Projects to PAUs, which are not currently served by a reliable connection that delivers at least 100 Mbps of download speed and 20 Mbps of upload speed and latency equal to or less than 100 milliseconds.

VI. Scope of Work

This RFP will accept Proposals of PBPs as well as non PBPs for Unserved and Underserved locations, but will prioritize PBP for awards.

Following the IP-approved criteria, the Corporation has designed PAUs as shown in Appendix B, which are contiguous, indivisible geographic units of Unserved and Underserved BSLs as well as Underserved CAIs. The PAUs are identified in Appendix B. The identified PAU(s) that consist of CAIs will be evaluated in the same way as the other PAUs, except they will need to be served with symmetrical gigabit service

Based on the PAUs listed in Appendix B, Proposers will identify PAUs that the Proposer plans to serve together using related infrastructure and operations. The Corporation will allow proposers to exclude select BSLs or CAIs that the applicant determines are excessively high-cost locations (or would otherwise make the project not economically viable for the technology being used) from a given PAU. Any exclusions of BSLs or CAIs should be clearly identified in by the Proposer in their proposal. For any such eliminated BSL or CAI, the Corporation encourages Proposers to propose a multi-provider solution, instead of self-performing.

The Project must be designed to deliver, upon project completion, service that reliably meets or exceeds download speeds of 100 Mbps, upload speeds of 20 Mbps, and latency of less than 100 Milliseconds. The deployment must be completed and services must be available within four (4) years of grant award, which is considered the Period of Performance or the Deployment Period.⁴

Proposers may bid on one or more PAUs, and each such Proposal must be submitted separately. For clarity: A Proposer may send one single proposal for multiple project areas but must, as indicated, ensure the response for each project area can be appropriately evaluated by others. This includes submitting a separate response to all minimum requirements as outlined in the RFP, including but not limited to, separate budgets, business plans, project designs, and project costs. Proposals will be reviewed as described under IX. Evaluation Process.

The Corporation expects that Proposer(s) may need to sub-contract with specialized organizations for technical components of the services consistent with the BEAD NOFO. Proposers must indicate in their proposal if they are proposing to use subcontracted services.

A minimum of 25% matching funds is required for deployment projects, which means applicants must contribute at least a quarter of the project cost from their own sources. Proposers must dedicate this match to the Project and it cannot be used for other program activities.

If applicable, Proposers may aggregate PAUs into PAs, designating, as relevant, CPAUs, as described in the IPV2.

If applicable, the Corporation will undertake the Deconfliction Process, as described in the IPV2.

VII. RFP Schedule

The Corporation estimates the following schedule related to the RFP:

Milestone	Date
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⁴ Please refer to the PN for more detail on LEO Period of Performance.

RFP Posted to the Corporation and State of Rhode Island Division of Purchasing website	July 1, 2025
Pre-Bid Webinar	July 3, 2025
Final Day for Proposers to submit questions or comments	July 9, 2025
Answers to questions and other addenda posted to the Corporation and State of Rhode Island Division of Purchasing website, as applicable	July 14, 2025
Proposal submittal deadline	July 22, 2025

The Corporation reserves the right to modify or amend this timeline as it deems, in its sole discretion, convenient or necessary.

IX. Evaluation Process

The Corporation will review the submitted Proposals pursuant to the evaluation procedures and criteria set forth below. The selection and award of the most advantageous Proposal(s) will be based upon Proposal scores determined in accordance with the evaluation procedures and criteria stated in the RFP, and by a selection committee formed of Corporation employees. The selection committee may seek input and advice from consultants or other industry experts as needed in its sole discretion.

The Corporation will first evaluate Proposals to determine whether they are responsive based on the Minimum Requirements described in this RFP. The Corporation will also confirm the Proposers commitment to adherence to the Low-Cost Broadband Service Option Requirement. All responsive Proposals will be evaluated in the manner described in Proposal Scoring Criteria section of this RFP, and the Selection Committee will assign an overall ranking to each Proposal based on each Proposal's overall score. The Corporation will not select any Proposer that the Corporation determines has submitted a non-responsive Proposal.

Proposers are highly encouraged to follow the format of the RFP when crafting Proposals as well as ensure all required information within the Proposal is print-friendly to better facilitate Proposal reviews.

The Corporation reserves the right to not make an award. Any and all awards are subject to the continuation of federal funding availability. As applicable, the Corporation expects the selected Proposer(s) to be able to work with the Corporation's other contracted broadband consultants and vendors.

A. Request for Clarification and Additional Information

To facilitate the examination and scoring of Proposals, the Corporation may, at any time during the Proposal evaluation, issue one or more requests for clarification to one or more Proposers, seeking additional information or clarification from a Proposer. Proposers shall respond to any such request by such time as is specified by the Corporation in such request. The scope, length and topics to be addressed in requests for clarification shall be prescribed by, and subject to the absolute discretion of the Corporation. Upon receipt of any requested additional information or clarification, the applicable Proposal or Proposals may be re-evaluated by the Corporation to consider such additional information or clarification. Any

additional information or clarification submitted by a Proposer pursuant to a request for clarification shall become a part of the Proposer's Proposal.

B. Subaward Agreement Negotiation

The selected Proposer(s) will enter into a fixed amount subaward agreement with the Corporation. Upon the selection of a successful Proposer(s) but prior to finalizing a Subaward Agreement, the Corporation may proceed with certain negotiations in an attempt to finalize a Subaward Agreement with the successful Proposer(s). Any modifications or clarifications agreed to with the successful Proposer(s) during Subaward Agreement negotiations, shall also be incorporated into the final Subaward Agreement. If a Subaward Agreement cannot be successfully negotiated within a period of time required by the Corporation, negotiations will be terminated, and negotiations with the next highest-ranking Proposer may commence. The process may continue until a Subaward Agreement is signed, which will be made available on the <http://commerceri.com/broadband> website prior to subgrantee selection. The Corporation reserves the right to modify the Subaward Agreement and additional terms and conditions may be included and may vary based on technology.

At the conclusion of the RFP process, the Corporation will identify any remaining PAUs with eligible Unserved and/or Underserved locations. The Corporation may negotiate directly with Proposers that participated in the RFP process to build out to these remaining BSLs within the defined PAUs. Such negotiations may include inducements for Proposers, which may include things like permission to use non-priority technologies and/or reducing/relaxing certain BEAD requirements.

C. Minimum Requirements and Proposal Responsiveness Review

Prior to scoring Proposals, the Corporation will undertake an initial review to determine whether the Minimum Requirements identified in table below are met. These requirements describe the minimum qualifications or representations/certifications that must be included in a Proposal for it to be complete and therefore eligible to be evaluated. The Corporation will find ineligible any Proposals that do not comply with or provide evidence of meeting each of the below Minimum Requirements.

The following summarizes the Corporation's Minimum Requirements:

Proposers of LEO technology are advised to follow the PN if any of the requested submission requirements below are in conflict with that guidance.

	Minimum Requirements	Submittal Requirements
1	Financial Capability	Qualifications for Financial Obligations
		Letter of Credit
		Audited Financial Statements
		Required Business Plans and Financial Analysis
2	Managerial Capability	Resumes for Key Personnel
		Readiness to Manage Proposed Projects
3	Technical Capability	Implementation and Credentialed Workforce

		Project Management Plan
		Network Performance and Scalability
4	Compliance Evaluation	Compliance with federal, state and local Laws
5	Operational Capability	Operational Qualifications
		Number of Years of Operation
		Compliance with FCC from 477, Rules/Regulations
		Operating and Financial Reports for Electric Transmission of Distribution Services
		Operational Capabilities of New Entrants
6	Ownership	Supporting Ownership Information
7	Public Funding	Disclosure of Existing and Future Publicly Funded Projects
		Detailed Information for Existing and Future Publicly Funded Projects
8	Cybersecurity and Supply Chain	Cybersecurity risk management plan and supply chain risk management plan
9	Certification of Compliance with NTIA Regulations	Certification that the Proposers will adhere to all requirements of the BEAD NOFO, PN, and other applicable published NTIA regulations

1. Financial Capability

1a. *Required Qualifications for Financial Obligations*

Financial Capability will be evaluated from the financial data submitted by Proposers in the RFP process. The Corporation will review typical financial health indicators such as audited financial statements, including debt to equity/leverage, liquidity ratios, average revenues in the past three years, and profit levels in the past three years. For mitigating project completion risks, the ability of the Proposer to pay liquidated damages in the event of implementation delays will also be assessed.

Proposers must certify that they:

- Are qualified to meet the financial obligations associated with their Project;
- Will have available funds for all Project costs that exceed the amount of their award;
- Will comply with all BEAD Program requirements, including service milestones;
- Have availability of funds over the complete implementation period.

1b. *Letter of Credit*

Proposers for all technologies shall submit a letter from an eligible bank (see 47 C.F.R. § 54.804(c)(2)) in which the bank commits to issuing an irrevocable standby letter of credit to the Proposer, unless an alternative is sought through the Letter of Credit Waiver, herein defined below. The letter must include the dollar amount of the letter of credit and the issuing bank's agreement to adhere to the Corporation's model letter of credit terms and conditions, with the Corporation as the primary beneficiary. Before executing any subgrantee agreements, each Proposer shall obtain an irrevocable standby letter of credit, which the Corporation deems acceptable, for the amount of Federal funds awarded to the subgrantee. An opinion letter from the Proposer's legal counsel must be included with the letter of credit stating, subject only to

customary assumptions, limitations and qualifications, that in a proceeding under Title 11 of the United States Code, 11 U.S.C. § 101 et seq. (the “Bankruptcy Code”), the bankruptcy court would not treat the letter of credit or proceeds of the letter of credit as property of the subgrantee’s bankruptcy estate under Section 541 of the Bankruptcy Code.

Letter of Credit Waiver

The Corporation will adopt the NTIA’s BEAD Letter of Credit Waiver

<https://broadbandusa.ntia.gov/funding-programs/policies-waivers/BEAD-Letter-of-Credit-Waiver>.

The Corporation will:

- ***Allow Credit Unions to Issue Letter of Credit.*** The NOFO requires subgrantees to obtain a letter of credit from a U.S. bank with a safety rating issued by Weiss of B– or better. The waiver permits Proposers to fulfill the letter of credit requirement (or any alternative permitted under the waiver) utilizing any United States credit union that is insured by the National Credit Union Administration and that has a credit union safety rating issued by Weiss of B– or better.
- ***Allow Use of Performance Bonds.*** The waiver permits a Proposer to provide a performance bond equal to 100% of the BEAD subaward amount in lieu of a letter of credit, provided that the bond is issued by a company holding a certificate of authority as an acceptable surety on federal bonds as identified in the Department of Treasury Circular 570. The Rhode Island Little Miller Act, under Rhode Island General Laws 37-12, regulates payment and performance bonds for state-level public works and construction works.
- ***Allow to Reduce the Obligation Upon Completion of Milestones.*** The waiver allows the Corporation to reduce the amount of the letter of credit obligation below 25% over time or reduce the amount of the performance bond below 100% over time, upon a Proposer fulfilling deployment milestones specified by the Corporation.
- ***Allow for an Alternative Initial Letter of Credit or Performance Bond Percentage.*** The NOFO requires that the initial amount of the letter of credit be 25% of the subaward (or the initial amount of the performance bond be 100% of the subaward under the option described above). The waiver allows the initial amount of the letter of credit or performance bond to be 10% of the subaward amount during the entire period of performance when the Corporation issues funding on a reimbursable basis consistent with Section IV.C.1.b of the NOFO and reimbursement is for periods of no more than six months each.

For the LEO Capacity Subgrants per the PN, the LEO provider may reduce its Letter of Credit or performance bond by 50% at the point of certification that service is available to each location in the PAU. The Letter of Credit can be reduced by an additional 25% of the original amount after the subscription rate reaches at least 25% of all locations in the PAU and may be closed out once the subscription rate reaches 50 percent. Regardless of the subscription rate, the Letter of Credit may be terminated four years after the LEO Capacity Subgrantee certifies that it can initiate broadband service within 10 business days of a request to any covered BSL in the project area unit.

1c. Audited Financial Statements

Proposers are required to provide financial statements from the prior year that are audited by an independent certified public accountant. If the Proposer has not been audited during the ordinary course of business, in lieu of submitting audited financial statements, it must submit unaudited financial statements from the prior year and certify that it will provide financial statements from the prior fiscal year that are audited by an independent certified public accountant prior to disbursement of the grant amount. The Corporation will not approve or disburse any grant for the deployment or upgrading of network facilities unless it is determined that the documents submitted demonstrate the Proposer's financial capability with respect to the proposed project.

In the case of LEO service providers, the PN encourages them to submit audited financial statements to NTIA demonstrating their financial capacity to undertake the commitments of a subgrantee in all areas in which the provider seeks to serve. NTIA, in turn, will work with the provider to develop a financial certification letter documenting the financial capability of the provider for the Corporation.

1d. Required Business Plans and Financial Analysis

Proposers are required to submit business plans and related pro forma or cash flow analyses that substantiate the financial sustainability of the proposed project. The financial analysis should include at least five years of operating cost and cash flow projections post targeted completion of the project.

The business plans should include, but are not limited to the following:

- Executive Summary
- Project Description
- Revenues (revenue sources, projected customer numbers, penetration defined as subscribers divided by number of premises passed, and average revenues per user)
- Proposed BEAD Program Outlay
- Capital Costs
- Operating and Maintenance Costs (with detailed breakdown and assumptions)
- Implementation Schedule
- Financial Analysis Justifying Proposed User Rates
- Technical and Operational Plan
- Risk Assessments
- Free cash flows
- Balance Sheet Projections

2. Managerial Capability

2a. Resumes for Key Personnel

Proposers are required to provide resumes of key personnel to represent various areas, such as design and construction management, financing, marketing, operations, maintenance, and general management. The Corporation will evaluate experience based on the relevance to their proposed roles in future projects.

Criteria for evaluating personnel include, but are not limited to:

- Total years of relevant experience and track record
- Number of years of experience with the subgrantee

- Experience with several projects similar in scope to that of the Project and details of such Projects
- Existing capacity to undertake the Project
- Staffing plans and organizational charts to evaluate proposed capability

2b. Readiness to Manage Proposed Project Requirements

Proposers must provide a narrative describing their readiness to manage their proposed project and ongoing services to be provided.

This narrative should include, but is not limited to:

- ***Proof of experience and track record.*** Proposers must provide a key personnel narrative that describes relevant qualifications of key management personnel proposed to support this project. Proposers are required to submit detailed resumes along with a narrative explanation of the given role and responsibilities. Proposers should include the following:
 - Proof of experience undertaking projects of similar size and scope in general, and specifically in Rhode Island and / or the selected PAUs being bid
 - Qualifications of key personnel in successfully managing engineering, design, construction, operations and maintenance of similar projects with proof of quality of services delivered to end users using reference checks
 - Experience and capacity in recruiting and training engineering, design and construction labor
 - Experience including the presence of personnel, processes, and systems to respond to network performance impairments or outages
- ***Proof of existing capacity.*** Proposers must describe their ability and experience to manage a broadband services network; and proof that they have the capacity to complete the project given its other projects and existing workload. Proposers will be asked to include recent and upcoming organizational changes and relevant organizational policies.

3. Technical Capability

3a. Technical Qualifications for Implementation and Credentialed Workforce

Proposers must submit a narrative outlining how its experience translates into value in the context of the Project and PAU(s) being bid. The Proposer must detail the proposed structure of its team and the role of each key entity (both prime contractors and key subcontractors) including joint venture partners and consultants. The Proposer's qualifications should provide details of similarly sized projects completed in the last five to 10 years. Proposers must include projects completed for the Corporation, the State of Rhode Island, any local government agency of Rhode Island, any projects completed for other public sector or private sector owners, and any projects implemented in other Unserved and Underserved areas of the country.

Proposers that are current broadband providers must submit details on the products and services, operations, total subscriber count, type of services (business/residential), local presence in the region and other markets served including demonstrating any similar agreements with municipalities, electric utilities or other public-private partnerships.

Proposers must submit details on the required technical staff, including information on training and credentials, for all the project phases (e.g. design, construction, and operations). Proposers

must certify to their technical qualifications to complete and operate the Project, their capacity to fulfill funded activities in a competent manner.

Proposers must submit the following:

- Documentation of current licensing with governing bodies to operate in Rhode Island;
- Attestation of current Rhode Island licensing for any engineers who certify network design, diagrams, project costs, etc.; and
- Demonstration of experience designing and delivering projects of similar size, complexity, and timeline.

3b. Project Management Plan

Proposers must submit a Project Management Plan that includes, but is not limited to the following:

- The Corporation will prioritize funding for PBP. Any applicant may seek to have the Corporation treat its application for PAUs including CAIs as a PBP regardless of the technology used, with an explicit request letter in its proposal to do so. Applicants must provide supporting documentation sufficient for the Corporation to assess the network application and determine that the proposed network architecture for each specific PAU meets the PBP technical and statutory standards. Such eligibility will be considered per PAU. Proposers, however, should deploy symmetrical gigabit connections to all CAIs.

The Corporation will take a technology-neutral approach: Fiber-optic technology, cable modem/hybrid fiber-coaxial technology, LEO satellite services, and terrestrial fixed wireless technology utilizing entirely licensed spectrum, entirely unlicensed spectrum, or a hybrid of licensed and unlicensed spectrum, may be used in applications for PBP as long as the technologies employed in the project proposal meet the technical performance requirements described in ‘Section 1, Definitions’ for PBPs. In case of unlicensed fixed wireless (ULFW) technology, providers will need to demonstrate that they have taken the steps necessary to resolve interference and capacity constraints associated with the technology.

Per the PN, the Corporation reserves the right to reject a PBP if the cost of the project is deemed excessive in consideration of cost characteristics of the area to be served. However, the Corporation may in its discretion, allow all PBP proposals to be evaluated in accordance with the selection criteria of this RFP, which will filter out the excessively priced proposals. Per the NTIA’s NOFO, final approval of any selected Proposer(s) requires approval by the NTIA.

- *Project network design:*
 - High-level network architecture and design certified by a Professional Engineer (PE);
 - Technology specifications that indicate expected uptime/availability and download/upload speeds & latency for end users certified by PE;
 - Preliminary network route map (both as PDF and spatial data e.g., Shapefile or KMZ/KML), which details an approach to deploy broadband infrastructure to all locations within the PAU, including the number of fiber (if applicable)/route miles,

and the existing network assets leveraged, as applicable to the chosen technology; and

- Description of any non-network resources and/or assets contributed to Project.
- To ensure that the ULFW provider will have sufficient capacity to meet the statutory speed requirement of 100 Mbps download and 20 Mbps upload, the network design for ULFW projects must demonstrate the ability to provide at least 5 Mbps (100 Mbps download, to be scaled for higher speed commitments) of simultaneous capacity to each BSL and CAI in the Project Area Units. Narrative descriptions should also be provided for reserved base station capacity to account for periods of higher interference, and adherence with network equipment manufacturer best practices or guidance regarding items including:
 - i. Capacity/loading of base station radios with respect to number of, and provisioned bandwidth of, subscribers,
 - ii. Minimum signal strength necessary to meet speed and latency requirements
 - iii. Backhaul requirements for base station deployments
- *Project Delivery Schedule* showing complete build-out and initiation of service, all certified by a professional engineer (PE), within four (4) years of the date on which the Proposer receives the subgrant. The schedule will detail various cost components, such as design, engineering, procurement, mobilization, civil works, structural, mechanical, electrical works, testing, and commissioning – as relevant to the chosen technology
 - Build-out timeline including key milestones for Project preparation and implementation (key milestones shall include, but are not limited to network design and engineering, aerial or buried rights of way licensing and permitting, construction and providing service to subscribers);
 - Narrative detailing schedule risk factors, Proposer's plan to manage these risk factors, and Proposer's approach for managing any time overruns and/or delays due to unforeseen factors; and
 - Narrative detailing key procurement (materials and equipment) and labor risks that may delay Project completion, and Proposer's plan to manage these risks.
- *Project costs*: Proposers must provide a project budget that includes:
 - Total Project costs, including
 - Engineering and design
 - Environmental and construction permitting
 - Other pre-construction costs, including right of way, leases, easements, and similar costs to develop infrastructure, and equipment, shelter, land, site preparation and site restoration costs;
 - Construction costs, including materials, labor and construction management; for materials, provide totals costs, unit costs, and number of units required.
 - Testing, commissioning
 - Customer connection costs (e.g. customer premise equipment drops)
 - Total cost per BSL and total cost per PAU being bid
 - Proposers can propose to exclude select BSLs that they determine are excessively high-cost locations from the Project Area Unit (or would

otherwise make the Project Area Unit economically unviable for the proposed technology)

- Total Federal Grant Request, Total Cash Matching Funds, Total In-Kind Matching Funds, Total Matching Funds (Cash and In-Kind) and Total Matching Funds as a percentage of Total Project Costs, including specific sources of the matching funds. Cash or in-kind contributions, must be consistent with the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards set forth at 2 C.F.R. Part 200. Allowable in-kind contributions, consistent with federal cost principles include Access to rights of way, Pole attachments, Conduits, Easements or Access to other types of infrastructure. The requirement for matching funds are applicable for all technologies.

Proposers are required to spend at least 50 percent of the Matching Funds prior to any distribution of BEAD funds, which will be done on a reimbursable basis per deployment progress milestones achieved by the selected Proposer.

- *Operations and maintenance plan:* Proposers are required to describe how the technology system is to be safely operated daily. The plan will contain a comprehensive description of the technology system's resources, daily routine operational and maintenance procedures.
- *Procurement management:* Proposers are required to identify key procurement items (materials, equipment, or labor) that are on the critical path and may delay the project implementation.
- *Risk management:* Proposers will be required to identify all potential risks to their projects and how they intend to mitigate these risks.
- *Project safety and security management:* In accordance with applicable Rhode Island laws, subgrantees are required to comment on proposed safety and security management practices in their Project Management Plan.

3c. Network Performance and Scalability

Proposers must demonstrate their proposals meet the network performance and scalability requirements as defined in the IIJA and reiterated in the PN. Specifically, each project must:

1. Provide broadband service that meets speed, latency, reliability, consistency in quality of service, and related criteria established by the Assistant Secretary,
2. And each PBP must ensure that the network can easily scale speeds over time to:
 - Meet the evolving connectivity needs of households and businesses; and
 - Support the deployment of 5G, successor wireless technologies, and other advanced service

The Corporation interprets these requirements to mean:

1. Proposers must demonstrate that their projects have the capacity to provide all subscribers within the infrastructure's service area with simultaneous download speeds of at least 100 Mbps, upload speeds of at least 20 Mbps, and latency under 100 milliseconds, for the next 20 years. This capacity must be achievable without significant new infrastructure or replacements, beyond routine maintenance and upgrades. CAIs need to be deployed with symmetrical gigabit connections.

2. Proposers must demonstrate that their projects can reliably scale to meet the evolving connectivity needs of consumers and businesses, and support the deployment of future technologies such as 5G, 6G, and other advanced services. These evolving needs include rising peak-hour bandwidth usage and the rapid shift toward gigabit-speed service as the customer baseline. Scalability claims must be supported by clear and verifiable technical evidence including past performance data and engineering analyses. Proposers using shared or capacity-limited infrastructure must demonstrate that they can meet these requirements across all serviceable locations simultaneously.
3. Specific for ULFW providers: To ensure that the ULFW provider will have sufficient capacity to meet the statutory speed requirement of 100 Mbps download and 20 Mbps upload, the network design for ULFW projects must demonstrate the ability to provide at least 5 Mbps (100 Mbps download service to be scaled for higher speed commitments) of simultaneous capacity to each BSL in the PAU to which the Proposer responds.

4. Compliance Evaluation

4a. Compliance with Federal, State, and Local Laws

Proposers must submit a detailed history of compliance with all applicable federal, state, and local laws for previous broadband projects funded by federal and state programs, including disclosure of any default on any federal or state obligation associated with grants for broadband deployment. Proposers must also provide evidence of current compliance policies and procedures for applicable federal, state, and local laws. *Proposers must follow the specific BABA and EHP compliance requirements.*

Proposers must comply with applicable laws, which include, but are not limited to:

- Potential environmental impacts, as required by the National Environmental Policy Act (NEPA) and the National Historic Preservation Act for compliance with applicable environmental and national historical preservation requirements, as well as the Environmental Screening and Permitting Tracking Tool (“ESAPTT”).
- Usage of all communications facilities, equipment and construction materials used in the project as per the Build America, Buy America Act (BABA).
- Restrictions on buying equipment from specified countries.
- Worker safety as per Occupational Safety and Health Administration (OSHA) regulations and/or other applicable safety regulations.
- Statutorily required labor regulations consistent with Rhode Island Department of Labor Prevailing Wage requirements.
- Federal labor and employment laws. Please note, Proposers are required to certify that they comply with all federal labor and employment laws, and that they will comply with Rhode Island’s Prevailing Wage requirements under any subaward agreement entered into through this solicitation.
- Local licensing and permitting requirements.
- Contracting with Minority Businesses Enterprises (MBEs) and Women’s Business Enterprises (WBEs) per Rhode Island statute.
- Applicable procurement rules and regulations of Rhode Island.

5. Operational Capability

5a. Operational Qualifications

Proposers shall certify that they possess the operational capability to operate and complete the project. Proposers must provide operational details, including, but not limited to:

- Years providing internet service;
- Types of internet service provided;
- Current subscribers, including households, businesses, and community anchor institutions;
- Description of previous experience in operating and managing a utility-based infrastructure network including details of households and population served;
- Description of industry experience with broadband and telecommunications infrastructure operation and management;
- Details of key business entities/partners/subcontractors used in operating and management of the network;
- Completed federally funded deployment projects, including their sources of funding and timeframes for completion (or non-completion);
- Penalties paid by the Proposer, any subsidiary or affiliate of the Proposer or the holding company of the Proposer relative to deployment projects;
- The number of times Proposer has ever been a defendant in the State of Rhode Island for a criminal proceeding or civil litigation related to the deployment or operation of a broadband infrastructure; and
- Whether a Proposer has ever defaulted on a federal or state obligation to deploy broadband infrastructure and if so, to provide details.

5b. Number of Years in Operation

Proposers must submit a certificate that attests to providing a voice, broadband and/or electric transmission or distribution service for at least two (2) consecutive years prior to the date of their proposal submission, or that it is a wholly owned subsidiary of such an entity. This certificate must attest to and specify the number of years that the Proposer or its parent company has been operating. Proposers must also provide documentation that evidences the total years of operational experience. In the case of public-private partnerships, only one entity needs to provide this certification.

Proposers with less than two years of operation can demonstrate operational capability based on the guidelines enumerated below in *Section X.5(e)* “Required Operational Capabilities of New Entrants.”

5c. Compliance with FCC Form 477, Rules/Regulations

Proposers that have provided voice and/or broadband service are required to certify via a timely filing of Commission Form 477 and the Broadband DATA Act submission, if applicable during this timeframe. Proposers are also required to certify that it has complied with the Commission’s rules and regulations. Proposers must submit an explanation related to pending or completed enforcement action, civil litigation, or other matter in which they failed to comply or were alleged to have failed to comply with the Commission’s rules and regulations.

5d. Operating and Financial Reports for Electric Transmission of Distribution Services

Proposers that have only operated an electric transmission or distribution service are required to submit qualified operating and/or financial reports for the last three (3) years they have filed with

the relevant financial institution for the relevant time period. In addition, Proposers must certify that the submission is a true and accurate copy of the reports provided to the relevant financial institution.

5e. Operational Capabilities of New Entrants

For new entrants to the broadband market, Proposers shall provide sufficient evidence to demonstrate that the newly formed entity has sufficient operational capabilities that it has developed or obtained through internal or external resources. This evidence may include, but not be limited to:

- Resumes from key personnel who will be part of the new entity;
- Project descriptions and narratives from contractors, subcontractors or other partners with relevant operational experience who will be part of the new entity;
- Experience of operating non-broadband networks and infrastructure;
- Capabilities transferable from non-broadband networks to broadband networks; and
- Any other comparable data or evidence

6. Ownership

6a. Supporting Ownership Information

Proposers will be required to submit the relevant ownership information listed below as required by 47 C.F.R. § 1.2112(a)(1)-(7):

- List the real party or parties in interest in the Proposer or proposal, including a complete disclosure of the identity and relationship of those persons or entities directly or indirectly owning or controlling (or both) the Proposer;
- List the name, address, and citizenship of any party holding 10 percent or more of stock in the Proposer, whether voting or nonvoting, common or preferred, including the specific amount of the interest or percentage held;
- List, in the case of a limited partnership, the name, address and citizenship of each limited partner whose interest in the Proposer is 10 percent or greater (as calculated according to the percentage of equity paid in or the percentage of distribution of profits and losses);
- List, in the case of a general partnership, the name, address and citizenship of each partner, and the share or interest participation in the partnership;
- List, in the case of a limited liability company, the name, address, and citizenship of each of its members whose interest in the Proposer is 10 percent or greater;
- List all parties holding indirect ownership interests in the Proposer as determined by successive multiplication of the ownership percentages for each link in the vertical ownership chain, that equals 10 percent or more of the Proposer, except that if the ownership percentage for an interest in any link in the chain exceeds 50 percent or represents actual control, it shall be treated and reported as if it were a 100 percent interest; and
- List any FCC-regulated entity or Proposer for an FCC license, in which the Proposer or any of the parties identified in paragraphs (1) through (5) above, owns 10 percent or more of stock, whether voting or nonvoting, common or preferred. This list must include a description of each such entity's principal business and a description of each such entity's relationship to the Proposer (e.g. Company A owns 10 percent of Company B (the

Proposer) and 10 percent of Company C, then Companies A and C must be listed on Company B's proposal, where C is an FCC licensee and/or license Proposer).

7. Public Funding

7a. Disclosure of Existing and Future Publicly Funded Projects

Proposers are required to disclose, for itself and for its affiliates any proposal they have submitted or plan to submit, and every broadband deployment project they are undertaking or have committed to undertake at the time of the proposal using public funds. Public funds include, but are not limited to funds provided under:

- Families First Coronavirus Response Act (Public Law 116- 127; 134 Stat. 178);
- CARES Act (Public Law 116-136; 134 Stat. 281);
- Consolidated Appropriations Act, 2021 (Public Law 116-260; 134 Stat. 1182);
- American Rescue Plan of 2021 (Public Law 117-2; 135 Stat. 4);
- Federal Universal Service Fund high-cost program (e.g., RDOF, CAF); and/or
- State or local universal service or broadband deployment funding program.

7b. Detailed Information for Existing and Future Publicly Funded Projects

Proposers must provide a list of publicly funded projects both under development as well as contemplated in the next three (3) years. For each of these projects, the Proposer shall disclose:

- The speed and latency of the broadband service to be provided (as measured and/or reported under the applicable rules);
- The geographic area to be covered;
- The number of Unserved and Underserved locations committed to serve (or, if the commitment is to serve a percentage of locations within the specified geographic area, the relevant percentage);
- The amount, types, and conditions associated with each public funding to be used;
- The cost of service to the consumer;
- The matching commitment, if any, provided and to be provided by the Proposer or its affiliates;
- The ownership structure of the network;
- The support provided by the public agency in the project implementation; and
- The project partners, including Contractors, Suppliers, Consultants, and others.

8. Cybersecurity and Supply Chain

8a. Cybersecurity Plan

Proposers are required to attest that:

- The Proposer has a cybersecurity risk management plan (the plan) in place that is either: (a) operational, if the Proposer is providing service prior to the award of the grant; or (b) ready to be operationalized upon providing service, if the Proposer is not yet providing service prior to the grant award;
- The plan reflects the latest version of the National Institute of Standards and Technology (NIST) Framework for Improving Critical Infrastructure Cybersecurity (currently Version 1.1) and the standards and controls set forth in Executive Order 14028 and specifies the security and privacy controls being implemented;

- The plan shall satisfy the statutory requirement to incorporate best practices defined by NTIA for ensuring reliability and resilience of broadband infrastructure by establishing risk management plans that account for technology infrastructure reliability and resilience, including from natural disasters (e.g., wildfires, flooding, tornadoes, hurricanes, etc.), as applicable, as well as cybersecurity best practices.
- The plan will be reevaluated and updated on a periodic basis and as events warrant; and
- The plan will be submitted to the Corporation prior to the allocation of funds. If the subgrantee makes any substantive changes to the plan, a new version will be submitted to the Eligible Entity within 30 days.

8b. Supply Chain Risk Management (SCRM)

Proposers are required to attest that:

- The Proposer has a SCRM plan in place that is either: (a) operational, if the Proposer is already providing service at the time of the grant; or (b) ready to be operationalized, if the Proposer is not yet providing service at the time of grant award;
- The plan is based upon the key practices discussed in the NIST publication NISTIR 8276, Key Practices in Cyber Supply Chain Risk Management: Observations from Industry and related SCRM guidance from NIST, including NIST 800-161, Cybersecurity Supply Chain Risk Management Practices for Systems and Organizations and specifies the supply chain risk management controls being implemented;
- The plan will be reevaluated and updated on a periodic basis and as events warrant; and
- The plan will be submitted to the Corporation prior to the allocation of funds. If the subgrantee makes any substantive changes to the plan, a new version will be submitted to the Corporation within 30 days.

9. Certification of Compliance with NTIA Regulations

Proposers must certify that it will adhere to all requirements of the BEAD NOFO, the PN and other applicable published NTIA regulations, except and as required by waiver.

XI. Build America, Buy America Act (BABA) and EHP Compliance Requirements

The Corporation is committed to ensuring that all potential Proposers understand that all projects to deploy network facilities must be compliant with EHP and BABA Requirements outlined in the BEAD NOFO. Subgrantees must adhere to the requirements of BABA and any results of NTIA proposed waiver, the National Environmental Policy Act (NEPA) (42 U.S.C. § 4321 et seq.) and National Historic Preservation Act (NHPA) (54 U.S.C. § 300101 et seq.).

A. Build America, Buy America Requirements

Proposers must provide a detailed plan for compliance with BABA requirements, in alignment with the BEAD NOFO requirements and Final BABA guidance issued by the Office of Management and Budget:

Proposers' plans must include, but not be limited to, its approach to:

- Self-certification and compliance reporting in compliance with NTIA requirements
- Ensuring that all the iron, steel, manufactured products (including but not limited to fiber-optic communications materials), and construction materials used in the project or other eligible activities are produced in the United States unless a waiver is granted.

- Compliance with definitions included in Section 70912 of the Build America, Buy America Act (BABA), which provides that a manufactured product is considered produced in the United States if the manufactured product was manufactured in the United States and the cost of the components of the manufactured product that are mined, produced or manufactured in the United States is greater than 55 percent of the total cost of all components of the manufactured product, unless another standard for determining the minimum amount of domestic content of the manufactured product has been established under applicable law or regulation
- Ensuring that funds are not used to purchase or support any covered communications equipment or service, as defined in Section 9 of the Secure and Trusted Communications Networks Act of 2019 (47 U.S.C. § 1608).
- Ensuring funding is not used to purchase or support fiber optic cable and optical transmission equipment manufactured in the People’s Republic of China unless a waiver of this requirement is received from the Assistant Secretary.

The Proposer will be required to adhere to any updated BABA guidance that is released by NTIA.

Prior BABA Challenges and/or Noncompliance

Proposers are required to certify whether their organization has any previous challenges or noncompliance with BABA requirements. If the answer is yes, the Proposer must provide a detailed narrative and documentation regarding any challenges or noncompliance with BABA requirements and the organization's plan to remain compliant with BABA requirements. The information provided by the Proposer, including prior BABA compliance history, will be used during threshold review to determine if the Proposer has the capacity and capability to comply with BABA requirements.

Proposers must provide details related to challenges or noncompliance including:

- Instances of noncompliance (nature of noncompliance, affected materials, extent and duration of non-compliance)
- Challenges encountered (Supply chain issues, technical constraints)
- Corrective measures put in place (including future compliance assurance)

Additional BABA resources can be found in the important links section of this document.

B. EHP Requirements

Proposers must work and cooperate with the Corporation to facilitate permitting applications through NTIA’s Environmental screening and Permitting Tracking Tool (ESAPTT) as well as following all relevant NEPA requirements.

Proposers must provide a detailed narrative that includes, but is not limited to:

- Description of how they will comply with applicable environmental and national historical preservation requirements, per the National Environmental Policy Act (“NEPA”) and the National Historical Preservation Act (“NHPA”).

- Ability to obtain all necessary federal level, Rhode Island level, and local governmental permits and approvals necessary for the proposed work to be conducted based on the timeline for implementation for each PAU.
- Project design that minimizes the potential for adverse impacts on the environment.
- Demonstration of the readiness of their broadband team to analyze potential environmental impacts, which includes:
 - Designating specific individuals to be specifically responsible for EHP activities and to outline their responsibilities with regard to EHP and NEPA review.
 - Identifies subcontractors that may be engaged to support potential environmental assessments
 - Certifying that if at any time during the project they do not have the capacity or expertise in-house, additional staff or contractor support will be hired with the needed capacity and expertise to manage EHP activities.
 - Outlines coordination that will take place with other federal, state and local agencies that may have a role in EHP requirements

Prior EHP Challenges and/or non-compliance

Proposers are required to certify whether their organization has any previous challenges or noncompliance with EHP requirements. If the answer is yes, the Proposer must provide a detailed narrative and documentation regarding any challenges or noncompliance with EHP requirements and the organization's plan to remain compliant with EHP requirements. The information provided by the Proposer, including prior EHP compliance history, will be used during threshold review to determine if the Proposer has the capacity and capability to comply with EHP requirements.

Proposers must provide details related to challenges or noncompliance including:

- Instances of noncompliance (nature of noncompliance, affected materials, extent and duration of non-compliance)
- Challenges encountered (Supply chain issues, technical constraints)
- Corrective measures put in place (including future compliance assurance)

For additional details, refer to the National Environmental Policy Act (NEPA) (42 U.S.C. § 4321 et seq.) and the National Historic Preservation Act (NHPA) (54 U.S.C. § 300101 et seq.)

EHP Certifications

Subgrantees must obtain all necessary federal level, state level, and local governmental permits and approvals necessary for the proposed work to be conducted and will need to identify feasible measures to reduce or avoid any identified adverse environmental impacts of their proposed Projects or other eligible activities. The failure to do so may be grounds for not making an award.

Applicants will be required to:

- Certify that their organization understands that NEPA/NHPA analysis will be required for every Project funded through the BEAD Program and agrees to provide sufficient information to allow for NEPA/NHPA analysis such as a detailed Project description, including applicable supporting documentation.

- Certify that their organization understands that they are responsible for identifying and obtaining applicable federal, state and local permits (such as easements) required to complete any BEAD Projects
- Certify that their organization will cooperate with NTIA in identifying feasible measures to reduce or avoid any identified adverse environmental impacts of their proposed Project(s) or other eligible activities as well as use the NTIA Permitting Tool.

XII. Low-Cost Broadband Service Option Requirement

Proposers to any PAU with BSLs are required to offer not less than one low-cost service option (LCSO) for eligible subscribers in alignment with the eligibility criteria for the [FCC's Lifeline Program](#). As required by IJA and the NOFO, the LCSO must offer speeds of at least 100/20 Mbps and latency performance of no more than 100 milliseconds. Applicants that already offer a low-cost plan that meets these service requirements may satisfy the LCSO requirement by proposing to offer their existing low-cost plan to eligible subscribers. Proposers are required to have the low-cost broadband service option to be available to eligible recipients for the useful life of the network, as outlined in the NOFO guidance. Note: Proposals to serve locations in the CAI-only PAU(s) are not required to comply with this requirement.

Proposers must adhere to the following:

- Allow the end user to apply any state or federal connectivity subsidy to the service price;
- Provide the greater of (a) typical download speeds of at least 100 Mbps and typical upload speeds of at least 20 Mbps, or the fastest speeds the infrastructure is capable of if less than 100 Mbps/20 Mbps.
- Provide typical latency measurements of no more than 100 milliseconds;
- The LCSO (as for all other services) is not subject to data caps, surcharges, or usage-based throttling, and is subject only to the same acceptable use policies to which subscribers to all other broadband internet access service plans offered to home subscribers by the participating subgrantee must adhere;
- In the event the internet service provider later offers a low-cost plan with higher speeds downstream and/or upstream, permits Eligible Subscribers that are subscribed to a low-cost broadband service option to upgrade to the new low-cost offering at any time and at no additional cost.

XIII. Proposal Scoring Criteria

After the Corporation has established that a Proposal meets the minimum requirements and can be considered responsive, the Corporation will evaluate and rank Proposals using two sets of Scoring Criteria, Primary and Secondary, as summarized below per the revised scoring rubric from the PN. The Corporation will prioritize proposals that meet the definition of a PBP. However, in the absence of any qualifying PBP proposals, the Corporation will consider the competing non-PBP proposal(s). The evaluation criteria will remain the same for non-PBP proposals.

Note: The Secondary Criteria will only be reviewed if a Proposers' BEAD outlay is within 15 percent of BEAD outlay from the Proposer with the lowest BEAD outlay. Per the NTIA as example:

Proposer A says it will cost \$100 to serve 15 locs (applicant removed 5 locs) (\$6.67 per location)

Proposer B says it will cost \$200 to serve all 20 locs (\$10 per location)

While Proposal A is cheaper on total cost and cost per location, EE must consider how much it would cost to serve the remaining 5 locations within the project area

If Proposer A says it will costs \$500 to serve the additional 5 locations, then we award to Proposer B

Priority and Non-Priority Broadband Projects:

#	Primary Criteria (Required by NTIA)	Points	Weighted Criteria
P1	Minimal BEAD Program Outlay	100	100%
P2	ISBE Participation ^{5 6}	6.0	Bonus
	Primary Criteria Subtotal	106	100%
	Secondary Criteria		
S1	Speed of Network and Other Technical Capabilities	100	100%
	Secondary Criteria Subtotal	100	100%

Primary Criterion #P1 – Minimal BEAD Program Outlay per PAU

For both PBP and non-PBP PAUs, Proposers will be able to earn points in this section based on the absolute lowest dollar value of BEAD funding that will be required to complete the build outs to PAUs, accounting for both total projected cost and the prospective Proposer’s proposed match, as below.

BEAD Program outlay (\$) = Cost of a PAU (\$) - Proposed Match (\$)

This may involve selecting a proposal that is not the lowest-cost option for a given set of BSLs but is part of the combination of selected projects with the lowest overall cost on a per BSL basis.

⁵ “ISBE”, as defined by Rhode Island laws, means a small business enterprise that is owned and controlled by one or more individuals who are women (WBE) or minorities (MBE) as defined by R.I. Gen. Laws § 37-14.1-3 or a small business enterprise that is owned and controlled by one or more individuals with disabilities (DisBE) as defined by R.I. Gen. Laws § 37-2.2-2. To be recognized under these Regulations as an ISBE, the business must be certified as either: a. an MBE by the Division of Equity, Diversity, and Inclusion (DEDI); b. a WBE by the DEDI; or c. a DisBE by the Governor’s Commission on Disabilities (see Section 2.6.7 of 220-RICR-80-10-2, Regulations Governing Participation by Small Business Enterprises in State Purchase of Goods and Services and in Public Works Projects).

⁶ The ISBE Participation scoring criterion is a requirement of the State of Rhode Island, not the NTIA. The Corporation and NTIA are in active discussions how to resolve this State requirement consistent with the NTIA’s PN. As a result, this criterion may be subject to change.

Please note, the Proposed match, absent a waiver, must cover no less than 25 percent of the project's total cost.

Submittal Requirements:

1. List of unserved and underserved BSLs and/or CAIs, as applicable, Proposer proposes to serve in each PAU.
2. Proposed BEAD Program Outlay **per PAU** being proposed on, including the cost of a PAU (\$)
3. Proposed BEAD Program Outlay **per BSL in each PAU** being proposed on, including the total cost of a BSL
4. A narrative description of the Proposer's approach to the deployment of broadband, including elements such as use of existing infrastructure, access to poles, conduits, easements, or right of ways, existing or planned relationships with contractors and trade partners, and its approach to network design, scalability, and resiliency.

Project Cost Considerations: When developing cost estimates and requests for BEAD Outlays, Proposers must take into consideration the following:

- Proposers are required to spend at least 50 percent of the matching funds prior to any distribution of BEAD funds, which will be done on a reimbursable basis per deployment progress milestones achieved by the selected Proposer.
- If given an award, Proposers will be required to build the network all the way to the customer's premises (upon service activation); for example, there will be no additional funding for long driveways. Proposers will be responsible for the cost of all drops and customer premise telecommunications equipment as a condition of receiving funding and will not be allowed to charge residents of locations subsidized by BEAD funding for drops or customer premise equipment;
- Costs submitted as part of this criteria are binding and the Corporation will not award any additional funds for unexpected costs.
- Proposers can propose to exclude select BSLs that it determines are excessively high-cost locations from the project area (or would otherwise make the project economically unviable for the technology being used)

Note: The selected Proposer(s) will enter into a fixed amount subaward with the Corporation. The Corporation will reimburse the Subrecipient for eligible costs that are incurred using agreed upon milestones, unit cost, or full payment upon completion, as provided in the fixed amount subaward. It is anticipated that the Subrecipient will file reports with the Corporation when milestones are met and approved by the Corporation. The Subrecipient will be responsible for any cost over-runs.

Evaluation and Scoring: The Corporation will award the maximum points to proposal/s that result in the lowest total BEAD outlay. When comparing proposals, the Corporation will evaluate both the total BEAD funding requested (i.e., the total cost of a PAU minus the proposer's required match) and the BEAD cost per location (i.e., the total BEAD funding divided by the number of BSLs the proposal will serve). This analysis will determine which PAU proposals are most cost-effective.

The Corporation will review the submittals for this evaluation in conjunction with the business plan and related proforma or cash flow analysis, and the Project Management Plan including a narrative, which must detail the project's quality, design, scalability, and specific sources of matching funds, to justify the costs proposed. This review will be done for reasonableness using available benchmarks. If the Corporation is not satisfied with the Proposer's submittals, it may assign a score of zero points to this evaluation criterion or request one-time clarifications from Proposers in case of lack of sufficient detail. If the clarifications provided are not sufficient, the Corporation may assign a score of zero points to Minimal BEAD Program Outlay.

The Corporation will assign points based on the following approach:

Description	Maximum Points
Proposer(s) with lowest BEAD Outlay	100
All other Proposers are awarded points proportionally to the proposal with the lowest BEAD Outlays. For example, a proposal with outlays X% higher than the lowest proposal will earn points based on following formula: Awarded Points = (1- X%) x 100	Formula-based

Primary Criterion #P2 – ISBE Participation (6 points)

This scoring element is required by Title 37, Chapter 14.1, and Title 37, Chapter 2.2 of the Rhode Island General Laws. For both Priority Broadband Projects and Other Last-Mile Broadband Projects, Proposers will be able to earn points by committing to the participation of firms owned and controlled by minorities (MBEs), women (WBEs), and small disadvantaged businesses owned and controlled by persons with disabilities (Disability Business Enterprises a/k/a "DisBE") (collectively, MBEs, WBEs, and DisBEs are referred to herein as ISBEs) in the performance of deployment activities associated to the BEAD Program.

Submittal Requirements:

1. Proposers are required to complete, sign and submit these forms with their overall proposal. Please complete separate forms for each MBE, WBE and/or Disability Business Enterprise subcontractor/supplier to be utilized on the solicitation. See Appendix A for information and the MBE, WBE, and/or Disability Business Enterprise Participation Plan form(s).

Evaluation and Scoring: The Corporation will assign points based on the ISBE Participation Rate, which has the following calculation:

- *ISBE Participation Rate for Non-ISBE Vendors.* The ISBE participation rate for non-ISBE vendors shall be expressed as a percentage and shall be calculated by dividing the amount of non-ISBE vendor's total contract price that will be subcontracted to ISBEs by the non-ISBE vendor's total contract price. For example, if the non-ISBE's total contract price is \$100,000.00 and it subcontracts a total of \$12,000.00 to ISBEs, the non-ISBE's ISBE participation rate would be 12%.

- *ISBE Participation Rate for ISBE Vendors.* The ISBE participation rate for ISBE vendors shall be expressed as a percentage and shall be calculated by dividing the amount of the ISBE vendor's total contract price that will be subcontracted to ISBEs and the amount that will be self-performed by the ISBE vendor by the ISBE vendor's total contract price. For example, if the ISBE vendor's total contract price is \$100,000.00 and it subcontracts a total of \$12,000.00 to ISBEs and will perform a total of \$8,000.00 of the work itself, the ISBE vendor's ISBE participation rate would be 20%.

Priority and Other Last-Mile Projects:

Description	Maximum Points
The Proposer with the highest ISBE participation rate shall receive the maximum ISBE participation points.	6
All other Proposers shall receive ISBE participation points by applying the following formula: [Proposer's ISBE participation rate] / [Highest ISBE participation rate] x 6 points. For example, if Proposer A has the highest ISBE participation rate at 20% and Proposer B's ISBE participation rate is 12%, Proposer A will receive the maximum 6 points and Proposer B will receive 3.6 points (= 12% / 20% x 6).	Formula-Based
Proposers that fail to submit a proposed ISBE Participation Rate or any requested substantiating documentation in a timely manner shall receive zero (0) ISBE participation points	0

Secondary Criteria #S1 Speed of Network and Other Technical Capabilities

This secondary evaluation will only be conducted if outright decisions are not possible using the Primary Criterion. If an application to serve the same general PAU proposes a project cost within 15% of the lowest-cost proposal received for that same general PAU on a per BSL basis, the Corporation will evaluate the competing applications based on the following Secondary criterion.

Submittal Requirements: Supportive documents for each of the evaluation factors listed below.

Evaluation and Scoring: A proposal will receive full points if it demonstrates with supportive documentation for all of the following sub criteria, and will receive points otherwise based on the description below. The Corporation will review supportive documentation for reasonableness. If the Corporation is not satisfied with the Proposer's submittals, it may assign a score of zero points to this evaluation criterion or request one-time clarifications from Proposers in case of lack of sufficient detail. If the clarifications provided are not sufficient, the Corporation may assign a score of zero points to Speed of Network and Other Technical Capabilities. The Eligible Entity may request additional evidence from the ULFW service provider and receive information from other sources.

The Corporation will assign points based on the following approach. Proposers will earn partial points based on the quality of documentation received.

Description	Maximum Points
Proposer's network can currently offer: <ul style="list-style-type: none"> ○ Consistent, symmetric speeds of at least 2 Gbps upload 	10.5

and 2 Gbps download to all BSLs simultaneously. ○ Consistent latency under 25 milliseconds	
Proposer's network has at least a 20-year-lifespan without requiring substantial infrastructure replacement (apart from regular maintenance and upgrades)	2.5
Proposer's network has the ability to meet increasing connectivity demand	2.5
Proposer's network is not substantially impacted by congestion or oversubscription	5

XIV. Monitoring & Reporting

The Corporation will engage in the monitoring of subgrantee activities to ensure subawards are used for authorized purposes, in compliance with federal statutes, regulations, and the terms and conditions of the subaward. The Corporation intends to employ a robust subgrantee monitoring program that will consist of risk assessments, quarterly subgrantee reporting, random sampling of subgrantee files, corrective action policies and post-contracting support to ensure subgrantees can meet all required BEAD compliance reporting and activities.

A. Monitoring Practices

The Corporation intends to engage in the following monitoring activities for subgrantees activities including, but not limited to:

- Coordination with subgrantees through individual discussions, group or team meetings, events or trainings.
- Reviewing financial and programmatic reports including invoices and progress and outcome reports in alignment with contractual obligations.
- Conducting an annual Subgrantee Assessment, verifying that every subgrantee is audited as required by 2 CFR Part 200, Subpart F.
- Conducting follow-up to ensure that the subgrantee takes timely and appropriate action on all deficiencies pertaining to the federal award through audits, on-site reviews, and other means.
- Issuing management decisions for audit findings pertaining to the federal award that have not been sufficiently addressed in a timely or acceptable manner and consider imposing specific subaward conditions upon a subgrantee, if appropriate, based on risk failure to comply as described in 2 CFR 200 Parts 339 to 343.

Other potential monitoring tools per 2 CFR 200 Part 331(e) that the Corporation may utilize include:

- Providing training and technical assistance
- Performing on-site reviews of program operations
- Developing Remediation and Improvement Plans on the basis of internal, federal, and state audits

Additionally, based upon the on-going monitoring that will be conducted, the Corporation will perform subaward reviews which at a minimum include a discussion with the Program Manager regarding subgrantee performance, status, and inquiry on whether the subgrantee has met the thresholds requiring an audit under the current 2 CFR Part 200, Subpart F. If an audit is required, the Corporation will ensure the subgrantee submits the report, report package or the documents required by federal regulations and/or recipient's requirements and follow up on any findings or issues identified in the audit to ensure they have been satisfactorily addressed. If any additional findings are identified by the Corporation review, the Corporation will implement appropriate requirements to ensure the contractual obligations, and all requirements are met. To the extent any issues persist, escalation to the legal and program teams may be necessary.

B. Reporting Mandates

Subgrantees will be mandated to submit reports on the Project status and performance in accordance with the NTIA's Semi-Annual Reporting (SAR) Guidance;⁷ should NTIA guidance change, subgrantees are required for following updated requirements. Additionally, subgrantees are required to engage in a financial review alongside the Corporation on either a 3- month, 6-month, or annual basis, with the cadence determined based on the results of a risk assessment. The Corporation reserves the right to increase the frequency of the reporting and financial review and conduct an on-site review if any issues or concerns are identified. Subgrantees will also be required to comply with the reporting requirements as outlined in the BEAD NOFO and other guidance as may be issued by NTIA from time to time. These regular reports must be submitted at least on a semiannual basis for the duration of the subgrant. Subgrantees will be required to submit project-related information necessary to comply with the BEAD reporting requirements, which includes but is not limited to:

- Include a list of addresses or location identifications (including the Broadband Serviceable Location Fabric established under 47 U.S.C. 642(b)(1)(B)) that constitute the service locations that will be served by the broadband infrastructure to be constructed and the status of each Project;
- Identify new locations served within each PAU at the relevant reporting intervals, and service taken (if applicable);
- Identify whether each address or location is residential or commercial or a CAI;
- Describe the types of facilities that have been constructed and installed;
- Describe the peak and off-peak actual speeds of the broadband service being offered;
- Describe the maximum advertised speed of the broadband service being offered;
- Describe the non-promotional prices, including any associated fees, charged for different tiers of broadband service being offered;
- List all interconnection agreements that were requested, and their current status; Report the number and size of contracts and subcontracts awarded by the subgrantee disaggregated by recipients of each such contract or subcontracts that are MBEs or WBEs;

⁷ AR Guidance from NTIA as of March 31, 2025 is available here: https://broadbandusa.ntia.doc.gov/sites/default/files/2024-12/BEAD_Anticipated_SAR_Reporting_Requirements_Guidance_v1.3.pdf

- Include any other data that would be required to comply with the data and mapping collection standards of the Commission under Section 1.7004 of title 47, Code of Federal Regulations, or any successor regulation, for broadband infrastructure Projects;
- Include an SF-425, Federal Financial Report and meet the requirements described in the Department of Commerce Financial Assistance Standard Terms and Conditions (dated November 12, 2020), Section A.01 for Financial Reports.

Please note that all reports submitted to the Corporation are considered public records, which are subject to the Access to Public Records Act of the Rhode Island General Laws.

Instructions and Notifications to Proposers

1. Potential Proposers are advised to review all sections of this RFP carefully and to follow instructions completely, as failure to make a complete submission as described elsewhere herein may result in rejection of the proposal.
2. Alternative approaches and/or methodologies to accomplish the desired or intended results of this procurement are solicited. However, proposals that depart from or materially alter the terms, requirements, or scope of work defined by this RFP will be rejected as being non-responsive.
3. All costs associated with developing or submitting a proposal in response to this RFP, or to provide oral or written clarification of its content, shall be borne by the Proposer. The Corporation assumes no responsibility for such costs.
4. Proposals are considered to be irrevocable for a period of not less than 120 days following the date set for submission of proposals.
5. All pricing submitted will be considered to be firm and fixed unless otherwise indicated herein.
6. Proposals that are submitted late, misdirected or sent to the wrong email address will not be accepted.
7. All proposals should identify the proposed team of professionals, including those employed by subcontractors, if any, along with respective areas of expertise and relevant credentials. Proposer should also provide a delineation of the portion of the scope of work for which each of these professionals will be responsible.
8. All proposals should include the Proposer's FEIN or Social Security number as evidenced by a W9, downloadable from <https://www.irs.gov/pub/irs-pdf/fw9.pdf>.
9. All proposals should include a completed RFP Response Certification Cover Form, included in this document and available here:
https://assets.simpleviewinc.com/simpleview/image/upload/v1/clients/rhodeisland/RFP_RESPONSE_CERTIFICATION_COVER_FORM_88d2b6a2-2798-4d0f-81b8-cedbe5692088.pdf

10. The purchase of services under an award made pursuant to this RFP will be contingent on the availability of funds and made at the discretion of the Corporation.
11. Awarding this RFP is based on the Evaluation Criteria set forth in this RFP. Vendors are advised, however, that all materials and ideas submitted as part of this proposal and during the performance of any award shall be the property of and owned by the Corporation, which may use any such materials and ideas.
12. Interested parties are instructed to peruse the Corporation's website (www.commerceri.com) on a regular basis, as additional information relating to this solicitation may be released in the form of an addendum to this RFP. Addenda will also be posted to the Rhode Island State Division of Purchases' website at www.ridop.ri.gov.
13. Equal Employment Opportunity (R.I. Gen. Laws § 28-5.1-1, et seq.) – § 28-5.1-1 Declaration of policy – (a) Equal opportunity and affirmative action toward its achievement is the policy of all units of Rhode Island state government, including all public and quasi-public agencies, commissions, boards and authorities, and in the classified, unclassified, and non-classified services of state employment. This policy applies to all areas where State dollars are spent, in employment, public services, grants and financial assistance, and in state licensing and regulation.
14. In accordance with Title 7, Chapter 1.2 of the General Laws of Rhode Island, no corporation organized under the laws of another state or country shall have the right to transact business in Rhode Island until it shall have procured a Certificate of Authority to do so from the Rhode Island Secretary of State (401-222-3040). This is a requirement only of the successful bidder.
15. The Proposer should be aware of the State's Minority Business Enterprise (MBE) requirements, which address the State's goal of fifteen percent (15%) participation by MBE's in all procurements, including a minimum of 7.5% participation by minority business enterprises owned and controlled by a minority owner, as defined in § 37-14.1-3, and a minimum of 7.5% participation by minority business enterprises owned and controlled by a woman. For further information, visit the website www.mbe.ri.gov.
16. The Corporation reserves the right to award to one or more or no Proposers.
17. Respondents are requested to clearly mark any information in their proposal they deem confidential. Applicants should familiarize themselves with the Access to Public Records Act.

Proposal Requirements In order to be considered responsive, proposals must at a minimum contain all listed in the minimum requirements and submittal requirements above as well as the person who will be the primary point of contact with the Rhode Island Commerce Corporation. Proposers should submit all materials in the order listed in the RFP.

Proposal Submission

Responses to this RFP must be received as follows: one (1) electronic (PDF) version must be provided by email to RFP@commerceri.com by **11:59 pm on July 22, 2025**.

Submissions that are late, misdirected or sent to the wrong email address will not be accepted.

Note: To ensure transparency, no phone calls pertaining to this RFP will be accepted.

The Corporation will offer a Pre-Bid RFP webinar (“Pre-Bid Webinar”) for interested parties and prospective Proposers. The meeting will take place via Zoom at 10:00 am July 3, 2025, and at the following link: <https://us06web.zoom.us/join/7yW9tmQOTcePFH09qc358Q>.

The intent of the Pre-Bid Webinar is to provide a brief overview of the Project and RFP document prior to the submission of Proposals. The material set forth in the RFP document is intended to take precedence, in its entirety, over any discussions or materials issued pursuant to the Pre-Bid Webinar. Proposers’ participation in the Pre-Bid Webinar is not mandatory but is recommended.

Questions, interpretations, or clarifications concerning this RFP should be directed by e-mail to RFP@commerceri.com no later than 11:59 pm on July 9, 2025. Responses to questions, interpretations, or clarifications concerning this RFP will be posted online via addendum at www.commerceri.com and www.ridop.ri.gov on July 14, 2025 to ensure equal awareness of important facts and details.

The Rhode Island Commerce Corporation reserves the right to terminate this solicitation prior to entering into any agreement with any qualified firm pursuant to this Request for Proposal, and by responding hereto, no firms are vested with any rights in any way whatsoever.

Rhode Island Commerce Corporation reserves the right to reject any or all proposals for not complying with the terms of this RFP.

APPENDIX A
**PROPOSER ISBE RESPONSIBILITIES AND MBE, WBE, AND/OR DISABILITY
BUSINESS ENTERPRISE PARTICIPATION FORM**

A. Proposer's ISBE Responsibilities (from 150-RICR-90-10-1.7.E)

1. Proposal of ISBE Participation Rate. Unless otherwise indicated in the RFP, a Proposer must submit its proposed ISBE Participation Rate in a sealed envelope or via sealed electronic submission at the time it submits its proposed total contract price. The Proposer shall be responsible for completing and submitting all standard forms adopted pursuant to 105-RICR-90-10-1.9 and submitting all substantiating documentation as reasonably requested by either the Using Agency's MBE/WBE Coordinator, Division, ODEO, or Governor's Commission on Disabilities including but not limited to the names and contact information of all proposed subcontractors and the dollar amounts that correspond with each proposed subcontract.
2. Failure to Submit ISBE Participation Rate. Any Proposer that fails to submit a proposed ISBE Participation Rate or any requested substantiating documentation in a timely manner shall receive zero (0) ISBE participation points.
3. Execution of Proposed ISBE Participation Rate. Proposers shall be evaluated and scored based on the amounts and rates submitted in their proposals. If awarded the contract, Proposers shall be required to achieve their proposed ISBE Participation Rates. During the life of the contract, the Proposer shall be responsible for submitting all substantiating documentation as reasonably requested by the Using Agency's MBE/WBE Coordinator, Division, ODEO, or Governor's Commission on Disabilities including but not limited to copies of purchase orders, subcontracts, and cancelled checks.
4. Change Orders. If during the life of the contract, a change order is issued by the Division, the Proposer shall notify the ODEO of the change as soon as reasonably possible. Proposers are required to achieve their proposed ISBE Participation Rates on any change order amounts.
5. Notice of Change to Proposed ISBE Participation Rate. If during the life of the contract, the Proposer becomes aware that it will be unable to achieve its proposed ISBE Participation Rate, it must notify the Division and ODEO as soon as reasonably possible. The Division, in consultation with ODEO and Governor's Commission on Disabilities, and the Proposer may agree to a modified ISBE Participation Rate provided that the change in circumstances was beyond the control of the Proposer or the direct result of an unanticipated reduction in the overall total project cost.

B. MBE, WBE, AND/OR Disability Business Enterprise Participation Plan Form:

Attached is the MBE, WBE, and/or Disability Business Enterprise Participation Plan form. Bidders are required to complete, sign and submit with their overall proposal. Please complete separate forms for each MBE, WBE and/or Disability Business Enterprise subcontractor/supplier to be utilized on the solicitation.

MBE, WBE, and/or DISABILITY BUSINESS ENTERPRISE PARTICIPATION PLAN					
Bidder's Name:					
Bidder's Address:					
Point of Contact:					
Telephone:					
Email:					
Solicitation No.:					
Project Name:					
<p>This form is intended to capture commitments between the prime contractor/vendor and MBE/WBE and/or Disability Business Enterprise subcontractors and suppliers, including a description of the work to be performed and the percentage of the work as submitted to the prime contractor/vendor. Please note that all MBE/WBE subcontractors/suppliers must be certified by the Office of Diversity, Equity and Opportunity MBE Compliance Office and all Disability Business Enterprises must be certified by the Governor's Commission on Disabilities at time of bid, and that MBE/WBE and Disability Business Enterprise subcontractors must self-perform 100% of the work or subcontract to another RI certified MBE in order to receive participation credit. Vendors may count 60% of expenditures for materials and supplies obtained from an MBE certified as a regular dealer/supplier, and 100% of such expenditures obtained from an MBE certified as a manufacturer. This form must be completed in its entirety and submitted at time of bid. Please complete <u>separate forms</u> for each MBE/WBE or Disability Business Enterprise subcontractor/supplier to be utilized on the solicitation.</p>					
Name of Subcontractor/Supplier:					
Type of RI Certification:		<input type="checkbox"/> MBE <input type="checkbox"/> WBE <input type="checkbox"/> Disability Business Enterprise			
Address:					
Point of Contact:					
Telephone:					
Email:					
Detailed Description of Work To Be Performed by Subcontractor or Materials to be Supplied by Supplier:					
Total Contract Value (\$):			Subcontract Value (\$):		ISBE Participation Rate (%):
Anticipated Date of Performance:					
I certify under penalty of perjury that the forgoing statements are true and correct.					
Prime Contractor/Vendor Signature				Title	Date
Subcontractor/Supplier Signature				Title	Date

Appendix B

List of PAUs w/Eligible BSLs and Eligible CAIs

[https://ricom.maps.arcgis.com/sharing/rest/content/items/61762cb6d08d41f1ba25d7e32e7657f4/
data](https://ricom.maps.arcgis.com/sharing/rest/content/items/61762cb6d08d41f1ba25d7e32e7657f4/data)

Appendix C

Federal Awards Terms and Conditions

https://broadbandusa.ntia.gov/sites/default/files/2024-05/BEAD_IPFR_GTC_04_2024.pdf

RFP/RFQ RESPONSE CERTIFICATION COVER FORM

Instruction: To fulfill your RFP/RFQ response, this form must be completed, printed, signed and included with your submission.

SECTION 1 - RESPONDENT INFORMATION

RFP/RFQ Number:

RFP/RFQ Title:

RFP/RFQ Respondent Name:

Address:

Telephone:

Fax:

Contact Name:

Contact Title:

Contact Email:

SECTION 2 —DISCLOSURES

RFP/RFQ Respondents must respond to every statement. RFP/RFQ Responses submitted without a complete response may be deemed nonresponsive.

Indicate "Y" (Yes) or "N" (No) for Disclosures 1-4, and if "Yes," provide details below

____ 1. State whether the Respondent, or any officer, director, manager, stockholder, member, partner, or other owner or principal of the Respondent or any parent, subsidiary, or affiliate has been subject to suspension or debarment by any federal, state, or municipal governmental authority, or the subject of criminal prosecution, or convicted of a criminal offense within the previous 5 years. If "Yes," provide details below.

____ 2. State whether the Respondent, or any officer, director, manager, stockholder, member, partner, or other owner or principal of the Respondent or any parent, subsidiary, or affiliate has had any contracts with a federal, state, or municipal governmental authority terminated for any reason within the previous 5 years. If "Yes," provide details below.

____ 3. State whether the Respondent, or any officer, director, manager, stockholder, member, partner, or other owner or principal of the Respondent or any parent, subsidiary, or affiliate has been fined more than \$5000 for violation(s) of any Rhode Island environmental law(s) by the Rhode Island Department of Environmental Management within the previous 5 years. If "Yes," provide details below.

____ 4. State whether any officer, director, manager, stockholder, member, partner, or other owner or principal of the Respondent is serving or has served within the past two calendar years as either an appointed or elected official of any state governmental authority or quasi-public corporation, including without limitation, any entity created as a legislative body or public or state agency by the general assembly or constitution of this state.

Disclosure details (continue on additional sheets if necessary):

SECTION 3 —OWNERSHIP DISCLOSURE

Respondents must provide all relevant information. Respondent proposals submitted without a complete response may be deemed nonresponsive.

If the Respondent is publicly held, the Respondent may provide owner information about only those stockholders, members, partners, or other owners that hold at least 10% of the record or beneficial equity interests of the Respondent; otherwise, complete ownership disclosure is required.

List each officer, director, manager, stockholder, member, partner, or other owner or principle of the Respondent, and each intermediate parent company and the ultimate parent company of the Respondent. For each individual, provide his or her name, business address, principal occupation, position with the Respondent, and the percentage of ownership, if any, he or she holds in the Respondent, and each intermediate parent company and the ultimate parent company of the Respondent.

SECTION 4 —CERTIFICATIONS

Respondents must respond to every statement. Responses submitted without a complete response may be deemed nonresponsive.

Indicate "Y" (Yes) or "N" (No), and if "No," provide details below.

THE RESPONDENT CERTIFIES THAT:

____ 1. The Respondent will immediately disclose, in writing, to the Rhode Island Commerce Corporation any potential conflict of interest which may occur during the term of any contract awarded pursuant to this solicitation.

____ 2. The Respondent possesses all licenses and anyone who will perform any work will possess all licenses required by applicable federal, state, and local law necessary to perform the requirements of any contract awarded pursuant to this solicitation and will maintain all required licenses during the term of any contract awarded pursuant to this solicitation. In the event that any required license shall lapse or be restricted or suspended, the Respondent shall immediately notify the Rhode Island Commerce Corporation in writing.

____ 3. The Respondent will maintain all required insurance during the term of any contract pursuant to this solicitation. In the event that any required insurance shall lapse or be canceled, the Respondent will immediately notify the Rhode Island Commerce Corporation in writing.

____ 4. The Respondent understands that falsification of any information in its RFP/RFQ response or failure to notify the Rhode Island Commerce Corporation of any changes in any disclosures or certifications in this Respondent Certification may be grounds for suspension, debarment, and/or prosecution for fraud.

____ 5. The Respondent has not paid and will not pay any bonus, commission, fee, gratuity, or other remuneration to any employee or official of the Rhode Island Commerce Corporation or the State of Rhode Island or any subdivision of the State of Rhode Island or other governmental authority for the purpose of obtaining an award of a contract pursuant to this solicitation. The Respondent further certifies that no bonus, commission, fee, gratuity, or other remuneration has been or will be received from any third party or paid to any third party contingent on the award of a contract pursuant to this solicitation.

____ 6. This RFP/RFQ response is not a collusive RFP/RFQ response. Neither the Respondent, nor any of its owners, stockholders, members, partners, principals, directors, managers, officers, employees, or agents has in any way colluded, conspired, or agreed, directly or indirectly, with any other Respondent or person to submit a collusive response to the solicitation or to refrain from submitting response to the solicitation, or has in any manner, directly or indirectly, sought by agreement or collusion or other communication with any other Respondent or person to fix the price or prices in the response or the response of any other Respondent, or to fix any overhead, profit, or cost component of the price in the response or the response of any other Respondent, or to secure through any collusion, conspiracy, or unlawful agreement any advantage against the Rhode Island Commerce Corporation or the State of Rhode Island or any person with an interest in the contract awarded pursuant to this solicitation. The price in the response is fair and proper and is not tainted by any collusion, conspiracy, or unlawful agreement on the part of the Respondent, its owners, stockholders, members, partners, principals, directors, managers, officers, employees, or agents.

____ 7. The Respondent: (i) is not identified on the General Treasurer's list created pursuant to R.I. Gen. Laws § 37-2.5-3 as a person or entity engaging in investment activities in Iran described in § 37-2.5-2(b); and (ii) is not engaging in any such investment activities in Iran.

___ 8. The Respondent will comply with all of the laws that are incorporated into and/or applicable to any contract with the Rhode Island Commerce Corporation.

Certification details (continue on additional sheet if necessary):

Submission by the Respondent of a response pursuant to this solicitation constitutes an offer to contract with the Rhode Island Commerce Corporation on the terms and conditions contained in this solicitation and the response. The Respondent certifies that: (1) the Respondent has reviewed this solicitation and agrees to comply with its terms and conditions; (2) the response is based on this solicitation; and (3) the information submitted in the response (including this Respondent Certification Cover Form) is accurate and complete. The Respondent acknowledges that the terms and conditions of this solicitation and the response will be incorporated into any contract awarded to the Respondent pursuant to this solicitation and the response. The person signing below represents, under penalty of perjury, that he or she is fully informed regarding the preparation and contents of this response and has been duly authorized to execute and submit this response on behalf of the Respondent.

RESPONDENT

Date: _____

Name of Respondent

Signature in ink

Printed name and title of person signing on behalf of Respondent