

Realizing Opportunities with Broadband Infrastructure Networks (ROBIN) Grant Program Guidance

Please read through the entire program guidance package before you begin your application. This will ensure you understand the full scope of the application as well as the details you will need to provide to complete the application process.

Update to section 6.3.4.3 (page 15 and 16) on 2/23/2023.

Update to section 6.3.6.1 (page 16) on 2/17/2023.

Update to section 5.15.2 (page 11) on 2/1/2023.

Application Deadline: All grant applications are due by 4:00 PM EDT on Tuesday, March 14, 2023.

Submission Guidelines: Applicants must use the Realizing Opportunities with Broadband Infrastructure Networks (ROBIN) online application system to submit their applications. The application system can be accessed online at:

<https://www.michigan.gov/leo/bureaus-agencies/mihi/funding-opportunities>.

No other application submission method is allowed. Applications must be complete, and attachments clearly labeled. Completed application, attachments, and supporting documentation must be received by the Department of Labor and Economic Opportunity (LEO), Michigan High-Speed Internet (MIHI) Office by 4:00 PM EDT on Tuesday, March 14, 2023, to be considered for funding. Applicants will receive an email confirmation for the receipt of their submission within 24 hours of completing the online application. It is the applicant's responsibility to ensure the application is received by the MIHI Office prior to the submission deadline. Applications submitted incorrectly or received after the deadline will be rejected. Official application submission date and time will be determined by the time stamp accompanying the application within the ROBIN online application system. Applications dated and time stamped in any other way will be rejected. If a confirmation receipt is not received within two business days, applicants must contact the MIHI Office as noted below.

Questions and Contact: If you have questions after reviewing the application and supporting documentation, please see the Frequently Asked Questions (FAQs) document available on the program website: <https://www.michigan.gov/leo/bureaus-agencies/mihi/funding-opportunities>. The FAQs will be updated throughout the application process. Questions and comments can also be submitted via email.

ROBIN Contact Information:

Jason Guthaus
Infrastructure Program Manager
Michigan High-Speed Internet Office
guthausj@michigan.gov

1. Definitions

- 1.1. Applicant: An internet service provider or eligible subrecipient of the Coronavirus Capital Projects Fund consistent with subsection (4) of Sec. 359 of Public Act 53 of 2022 which states, "Except as otherwise provided in this subsection, the department of labor and economic opportunity must not directly or indirectly award infrastructure grants to a governmental entity or educational institution, or affiliate, to operate or construct broadband infrastructure. Unless another internet service provider has directly applied for an infrastructure grant in the same unserved area, the department of labor and economic opportunity may award grants to governmental entities for infrastructure grants only for a public-private partnership, with internet service providers who are contracted to either own, operate, or maintain broadband infrastructure or service in unserved areas. An eligible public-private partnership must demonstrate a competitive bidding process and comply with applicable state laws."
- 1.2. Broadband Service: The facilities infrastructure or services that directly support the transport of data across a network that enables continuous end-user internet connection at a symmetrical rate of at least 100 megabits per second downstream and upstream (often written as 100/100 Mbps).
- 1.3. Community Anchor Institution (CAI): Entities such as schools, libraries, hospitals and other medical providers, public safety entities, institutions of higher education, and community support organizations that facilitate greater use of broadband by vulnerable populations, including low-income, the unemployed, and the aged.
- 1.4. Coronavirus Capital Projects Fund (CCPF): The American Rescue Plan provided \$10 billion for payments to eligible governments to carry out critical capital projects that directly enable work, education, and health monitoring, including remote options, in response to the public health emergency through the CCPF. Michigan's CCPF allocation was approximately \$250M. The CCPF is administered by the United States Department of the Treasury. More information can be found at: <https://home.treasury.gov/policy-issues/coronavirus/assistance-for-state-local-and-tribal-governments/capital-projects-fund>.
- 1.5. Costs: The cost of the acquisition and installation of last mile and middle mile infrastructure that support the delivery of eligible broadband service to eligible locations.
- 1.6. Data Cap: A service provider-imposed limit on the amount of data transferred by a user account at a specified level of throughput over a given period, for a specified fee. Data caps are usually imposed as a maximum allowed amount of data in a month for an agreed-upon charge.
- 1.7. Department: The Michigan Department of Labor and Economic Opportunity (LEO).
- 1.8. Digital Inclusion: The activities necessary to ensure that all individuals and communities, including the most disadvantaged, have access to and use of information and communication technologies (ICTs). This includes five elements: 1) affordable, robust broadband internet service; 2) internet-enabled devices that meet the needs of the user; 3) access to digital literacy training; 4) quality technical support; and 5) applications and online content designed to enable and encourage self-sufficiency, participation, and collaboration.
- 1.9. Digital Literacy: The ability to use information and communication technologies to find, evaluate, create, and communicate information, requiring both cognitive and technical skills.
- 1.10. E-Rate: Also known as the Schools and Libraries Program, E-rate provides discounts to assist eligible schools and libraries to obtain affordable internet access and telecommunications services. See also <https://www.usac.org/e-rate/>.
- 1.11. Federal Communications Commission (FCC): The Federal Communications Commission (FCC) is an independent agency of the United States government created by statute to regulate interstate communications by radio, television, wire, satellite, and cable.
- 1.12. Geographic Information System (GIS): A system designed to capture, store, manipulate, analyze, manage, and present all types of geographical data.
- 1.13. Indirect Expenses: Indirect expenses are those expenses that are incurred to operate a business as a whole or a segment of a business, and so cannot be directly associated with a cost object, such as a product, service, or customer.
- 1.14. Internet Service Provider: Any of the following: 1) an entity holding a license under the Michigan Telecommunications Act, 1991 PA 179, MCL 484.2101 to 484.2603; 2) an entity holding a franchise under the Uniform Video Services Local Franchise Act, 2006 PA 480, MCL 484.3301 to 484.3315; or 3) an entity currently providing broadband service in the state of Michigan.

- 1.15. Last-Mile Infrastructure: Broadband infrastructure that serves as the final leg connecting the internet service provider's network to the end-use customer's on-premises telecommunications equipment.
- 1.16. Location: A geographic position denoted by a specific address comprised of a street number, street name, city, state, and ZIP code.
- 1.17. Middle-Mile Infrastructure: High-capacity broadband infrastructure that traverses long distances to connect communities to the internet backbone, does not connect directly to end-user locations, and enables interconnecting internet service providers to provide last mile broadband service of at least 100 megabits per second download and 100 megabits per second upload and scalable to faster speeds.
- 1.18. Office: The Michigan High-Speed Internet (MIHI) Office located within the Department defined above.
- 1.19. Person: Includes an individual, community organization, cooperative association, corporation, federally recognized Indian tribe, limited liability company, nonprofit corporation, partnership, or political subdivision of this state.
- 1.20. Qualified Opportunity Zone (QOZ): QOZs are an economic development tool with the purpose of spurring economic growth and job creation in low-income communities. For purposes of the ROBIN grant program, QOZs are used to identify and encourage high-speed internet deployment to areas of economic distress. A list and map of QOZs can be found online at: <https://www.cdfifund.gov/opportunity-zones>.
- 1.21. Statute: Public Act 53 of 2022: <https://www.legislature.mi.gov/documents/2021-2022/publicact/pdf/2022-PA-0053.pdf>.
- 1.22. Universal Service Administrative Company (USAC): An independent, not-for-profit corporation designated by the Federal Communications Commission (FCC) as the administrator of the universal service fund (USF). See also: <https://www.usac.org/default.aspx>.
- 1.23. Unserved Area: An area lacking access to internet service of at least 100 megabits per second downstream and 20 megabits per second upstream from at least one internet service provider according to the Federal Communications Commission's broadband data collection program, upon its completion, or state-level granular maps completed by the Michigan Department of Labor and Economic Opportunity.

2. Grant Submission Overview

- 2.1. Application Deadline: All grant applications are due by 4:00 PM EDT on Tuesday, March 14, 2023.
- 2.2. Submission Guidelines: Applicants must use the ROBIN online application system to submit their applications. No other application submission method is allowed. Applications must be complete, and attachments clearly labeled with the question or statement number from the application form. Completed application, attachments, and supporting documentation must be submitted via online application to the MIHI Office by 4:00 PM EDT on Tuesday, March 14, 2023, to be considered for funding. Applicants will receive an email confirmation in receipt of their submission within 24 hours. It is the applicant's responsibility to ensure the application is received by the MIHI Office prior to the submission deadline. Applications submitted incorrectly or received after the deadline will be rejected. Official application submission date and time will be determined by the time stamp accompanying the application within the ROBIN online application system. Applications dated and time stamped in any other way will be rejected. If a confirmation receipt is not received within two business days, applicants must contact the MIHI Office per the contact information listed on the front page of this document. The MIHI Office reserves the right to request additional information if necessary to clarify or expound on information provided in the application process.
- 2.3. Completeness: Applicants are required to fill out the entire application and clearly label any attachments. Applicants are to use a file naming structure indicating the organization name, followed by the project name, followed by the attachment name, and file type (e.g., ABCTelecom_CountyExpansion_Map.pdf).
- 2.4. Questions and Contact: If you have questions after reviewing the application and supporting documentation, please see the FAQs document available on the grant website at: <https://www.michigan.gov/leo/bureaus-agencies/mihi/funding-opportunities>. The FAQs will be updated throughout the application process. Questions and comments can also be submitted via email to: Jason Guthaus, Infrastructure Program Manager, Michigan High-Speed Internet Office, guthausi@michigan.gov. Please note, questions not submitted by email or to the incorrect email address are not required to be answered.

3. Scope of the Program

- 3.1. Purpose: Pursuant to statute, the ROBIN Grant program for statewide broadband shall be administered by the Department through the MIHI Office to applicants for broadband infrastructure grants. Projects that deploy last mile and middle mile broadband service to unserved locations are eligible.
- 3.2. Funding Availability: As designated in statute, \$250,630,400 is being made available from the Coronavirus Capital Projects Fund. Up to five percent (5%) of this amount may be used by LEO to operate the MIHI Office. The remainder, \$238,098,880, is available for broadband infrastructure grants. Up to thirty-five percent (35%) of available funding (\$83,334,608) can be used to support middle mile broadband infrastructure projects.
- 3.3. Timeline: All grant project work must be completed by December 31, 2026.
- 3.4. Procuring and Contracting Agency: This notice of funding opportunity and request for applications is issued by the MIHI Office, which is the sole point of contact for the State of Michigan during the selection process. The person responsible for grant awards and management is Jason Guthaus, Infrastructure Program Manager, Michigan High-Speed Internet Office, guthausj@michigan.gov.
- 3.5. Eligible Applicants: Eligible applicants for the ROBIN grant program include internet service providers. As designated in Public Act 53 of 2022, "internet service providers" are defined as any of the following:
 - 3.5.1. An entity holding a license under the Michigan telecommunications act, 1991 PA 179, MCL 484.2101 to 484.2603;
 - 3.5.2. An entity holding a franchise under the uniform video services local franchise act, 2006 PA 480, MCL 484.3301 to 484.3315; or
 - 3.5.3. An entity currently providing broadband service in Michigan.
- 3.6. Public-Private Partnerships: The MIHI Office must not directly or indirectly award infrastructure grants to a governmental entity or educational institution, or affiliate, to operate or construct broadband infrastructure. Unless another internet service provider has directly applied for an infrastructure grant in the same unserved area, the MIHI Office may award grants to governmental entities for infrastructure grants only for a public-private partnership, with internet service providers who are contracted to either own, operate, or maintain broadband infrastructure or service in unserved areas. An eligible public-private partnership must demonstrate a competitive bidding process and comply with applicable state laws.
- 3.7. Eligible Locations: Eligible locations are those lacking access to internet service of at least 100 megabits per second downstream and 20 megabits per second upstream, (commonly written as 100/20 Mbps), from at least one (1) internet service provider.
 - 3.7.1. The ROBIN grant program includes a comment/objection process to ensure program funds are not invested to connect locations that have service already available to them or have commitments in place for service delivery. Therefore, locations not eligible for the ROBIN grant program include those where:
 - 3.7.1.1. At least one (1) internet service provider has deployed internet service capable of providing service at a speed of at least 100/20 Mbps;
 - 3.7.1.2. Construction of a network to provide internet service of at least 100/20 Mbps is underway to the location and the construction is scheduled to be completed within one (1) year after the date of the grant application; and
 - 3.7.1.3. Funding for the expansion of internet service to the location has been committed from a state or federal program in which an internet service provider has been selected to deliver internet service with a speed of at least 100/20 Mbps. This provision does not apply to a location once either: 1) the selected internet service provider does not complete the requirements for obtaining the state or federal funding; or 2) the time period for the internet service provider to meet its funding obligation has expired and the location remains unserved.
 - 3.7.2. Eligible locations proposed for service are not required to be contiguous within a single grant application. However, collections of eligible locations proposed for service within a single application should be reasonably adjacent.
 - 3.7.3. The MIHI Office has published a map located online at: <https://www.michigan.gov/leo/bureaus-agencies/mihi/funding-opportunities> to help applicants identify potentially eligible locations for inclusion in a ROBIN grant application. However,

applicants are to use all additional information available to them (e.g., federal maps, local surveys, on-the-ground validation, local knowledge, etc.) to identify locations and areas of the state for which they are proposing service and demonstrate their unserved nature. Ensuring applications include only eligible locations will ensure the timely approval of grant applications.

- 3.8. Comment/Objection Period: The statute establishes a 45-day comment/objection period that will follow the grant application period. Following the review and scoring of applications, initial grant recommendations will be posted online, and the public will have the opportunity to comment on those applications or file formal objections to an initial grant recommendation. More information on the requirements for filing a comment or objection will be provided before the comment/objection period opens.
- 3.8.1. Comments: Comments are simply commentary provided by members of the public that may or may not be in support of an initial grant recommendations. Comments have no formal bearing on initial grant recommendations.
- 3.8.2. Objections: Objections are formal submissions in response to a ROBIN initial grant recommendation. The MIHI Office cannot award ROBIN grants to locations if verifiable information is made available during the objection process that shows one (1) or more of the following:
- 3.8.2.1. At least one (1) internet service provider has deployed internet service capable of providing service at a speed of at least 100 megabits per second downstream and 20 megabits per second upstream to a street address or addresses within the proposed project area. For middle mile infrastructure grants, at least one (1) internet service provider has deployed the middle mile infrastructure and is in operation for the same area as the grant applicant.
- 3.8.2.2. The department receives a sworn statement from an officer of an internet service provider that the proposed project includes an area where construction of a network to provide internet service of at least 100 megabits per second downstream and 20 megabits per second upstream is underway and the construction is scheduled to be completed within one (1) year after the date of the application.
- 3.8.2.3. The department receives a sworn statement from an officer of an internet service provider that the proposed project includes, provisionally or otherwise, funding for the expansion of internet services of at least 100 megabits per second downstream and 20 megabits per second upstream from a state or federal program, for an area where an internet service provider has been selected. This subsection does not apply to an area once either of the following has occurred: 1) the internet service provider does not complete the requirements for obtaining the funding described in this subsection; or 2) the time period for the internet service provider to meet its obligation described in this subsection has expired and the area remains unserved.
- 3.8.3. Evidence: Formal objections to an initial grant recommendation must provide substantial evidence proving at least one of the three objection reasons listed previously. Evidence provided in such an objection will be validated and vetted to ensure the evidence provided is accurate and complete and that service at the defined speed already exists or will be constructed throughout the proposed service area, or if the proposed locations are part of another state or federally funded program.
- 3.8.4. Amendments After Objections: Locations included in initial grant recommendations that are verifiably objected to will be removed from the application in which they were included. The MIHI Office will work with applicants to amend their initial grant awards following the removal of any successfully objected locations to determine the viability of the project and amendments to the scope, design, budget, or other project elements impacted by the reduction in locations.
- 3.9. Eligible Broadband Service: Projects funded through the ROBIN grant program must deliver “broadband service” to eligible locations. “Broadband service” means the facilities infrastructure or services that directly support the transport of data across a network that enables continuous end-user internet connection at a symmetrical rate of at least 100 megabits per second downstream and upstream (often written as 100/100 Mbps).
- 3.9.1. If it would be impracticable, due to extreme geography, topography, or excessive cost, for a ROBIN grant project to be designed to deliver the minimum broadband service at 100/100 Mbps, the project must be designed so that it reliably meets or exceeds a download speed of 100 Mbps and between an upload speed between 20 Mbps and 100 Mbps and be scalable to a minimum of 100 Mbps symmetrical for download and upload speeds.

- 3.9.1.1. Applicants must submit additional information related to the impracticability of delivering the minimum service speed of 100/100 Mbps if they plan to provide service with an upload speed between 20 Mbps and 100 Mbps.
 - 3.9.1.2. Applications proposing service that does not meet the 100/100 Mbps minimum delivery speed will be reviewed in partnership with the United States Department of the Treasury to ensure the evidence of impracticability meets their standards as the federal administrator of the Coronavirus Capital Projects Fund.
- 3.10. Affordable Connectivity Program: All ROBIN grant recipients must participate in the FCC's Affordable Connectivity Program (ACP) to qualify, and applicants must show evidence of their participation in the program (<https://www.fcc.gov/acp>). If an applicant is planning to participate in ACP, but has not yet done so, they must provide evidence of their Eligible Telecommunications Carrier (ETC) status and other forms of communication or documents attesting to their intent to participate. Applicants that are pursuing ACP participation at the time of a grant award must provide an affidavit confirming their status as an ACP participant within six months of signing a grant agreement or their grant award will be revoked, and any funds received by the grantee during that time shall be repaid in full.
- 3.11. Last Mile and Middle Mile Projects: The primary purpose of the ROBIN program is to make grants for the delivery of last mile internet service to eligible locations. However, per statute, the ROBIN program may utilize up to thirty-five percent (35%) of funds appropriated for grants to applicants for middle mile facilities infrastructure that will support the future provision of eligible broadband service delivery to eligible locations.
 - 3.11.1. When completing the application, applicants are instructed to choose whether their application is for a last mile project or a middle mile project. Last mile projects are designed to deliver high-speed internet service to eligible locations while middle mile projects are designed to deliver greater backhaul capacity to unserved areas to support future last mile connections.
 - 3.11.2. Last mile projects often include the deployment of middle mile infrastructure as a portion of the overall project. Middle mile costs must not represent more than forty percent (40%) of the total grant request for a last mile project.
 - 3.11.3. Middle mile projects are intended to provide backhaul connectivity to unserved areas to support the future deployment of last mile services by one or more last mile internet service providers. Often times, the deployment of middle mile infrastructure can result in some last mile connections to large-scale, high-capacity internet users such as industrial parks, community anchor institutions, and similar. To allow for this, last mile costs must not represent more than fifteen (15%) of the total grant request for a middle mile project. Middle mile applicants are encouraged to identify one or more last mile partners that will commit to deploying last mile services to unserved locations should the middle mile project be approved for ROBIN funding.
 - 3.11.4. The statute directs the MIHI Office to utilize the same scoring criteria and process for awarding grants for middle mile and last mile infrastructure. Applicants proposing middle mile projects should have commitments or partnerships in place with one or more last mile internet service providers that will leverage the proposed middle mile networks to deploy last mile services to unserved locations should the middle mile project be awarded. ROBIN application scoring criteria are based on the criteria and priorities found in statute, some of which are directly related to the delivery of last mile internet service. For these criteria, middle mile applications will be scored based on the commitments and partnerships they have in place with internet service providers to deliver last mile broadband service resulting from the deployment of grant funded middle mile infrastructure. For example, an applicant is proposing a middle mile network to a currently unserved area. The applicant has secured a last mile service commitment from "Provider X" who will serve 150 locations in the unserved area, and a commitment from "Provider Y" who will serve 300 additional locations in the unserved area. The middle mile application, therefore, is proposing to serve 450 unserved locations. The middle mile applicant will submit the details of these commitments with their application and the relevant portions of their application will be scored based on these last mile commitments.
- 3.12. Maximum Grant Award: The maximum grant amount is \$30 million to any one project. The maximum grant award for any one applicant across multiple successful applications is \$60 million. These maximums apply to the grant portion of a project or projects not to the total project cost.

4. Grant Terms and Funding

- 4.1. Eligible Project Costs: The ROBIN Grant Program can pay up to eighty-five percent (85%) of the eligible costs for a qualifying project. "Costs" means the cost of the acquisition and installation of middle mile and last mile infrastructure that support eligible broadband service delivery to eligible locations. The MIHI Office in partnership with the United States Department of the Treasury will make the final determinations of eligible costs. Eligible costs may include, but are not limited to:
- 4.1.1. Pre-project but post-award, development costs and uses, including data-gathering, feasibility studies, community engagement and public feedback processes, equity assessments and planning, and needs assessments; permitting, planning, architectural design, engineering design, and work related to environmental, historical, and cultural reviews.
 - 4.1.2. Costs of repair, rehabilitation, construction, improvement, and acquisition of real property, equipment (e.g., devices and office equipment), and facilities (e.g., telecommunications equipment, including infrastructure for backhaul, middle, and last mile networks).
 - 4.1.3. Cost of long-term leases (for terms greater than one year) of facilities required to provide eligible broadband service, including infeasible right-of-use (IRU) agreements and capital leases.
 - 4.1.4. Personnel costs including salaries and fringe benefits for staff and consultants required for carrying out a project (such as project managers, program directors, subject matter experts, equity consultants, grant administrators, financial analysts, accountants, and attorneys).
 - 4.1.5. Ancillary costs necessary to operationalize and put the capital assets to full use, including costs to increase broadband adoption and improve digital literacy.
 - 4.1.6. Costs associated with monitoring of and reporting on projects in compliance with MIHI Office and United States Department of the Treasury reporting requirements, including award closeout costs.
 - 4.1.7. Costs associated with collecting and measuring performance data and conducting activities needed to establish and maintain a performance management and evaluation regime.
- 4.2. Ineligible Project Costs: Ineligible project costs may include, but are not limited to: Indirect or operational expenses that exceed ten percent (10%) of the total project cost or \$2,000,000, whichever is less; costs associated with completing or filing an application for the grant; expenses related to the provision of telephone or video services which are not necessary for the delivery of broadband services; and any expense incurred prior to the formal acceptance and execution of a grant agreement. The MIHI Office in partnership with the United States Department of the Treasury will make the final determinations of ineligible costs.
- 4.3. Cost Liability: Neither LEO, the MIHI Office, nor the State of Michigan are liable for any cost incurred by an applicant in preparing a ROBIN grant application or costs incurred by a grantee prior to the formal acceptance and execution of a grant agreement.
- 4.4. Match Requirement: The applicant must provide the funding for the total project cost not covered by the grant as match. Project match can come from any private, non-profit, or public sources available to the applicant. The grant can cover up to eighty-five percent (85%) of the total project cost; however, applications providing greater match will be prioritized. Match requirements can be met with cash or in-kind contributions or a combination thereof. Any eligible project expense can be counted as part of the project match. Documentation to support the match is required as part of the application. Examples of in-kind contributions can include, but are not limited to, assets transferred to the applicant; donated equipment, services, or expertise; or cash equivalents such as stocks, bonds, or mutual funds. Applicants will provide evidence that the in-kind contributions are directly related to the deployment of eligible broadband service to the proposed eligible locations.
- 4.5. Reimbursement: Grantees will submit invoices and proof of payment to the department quarterly following the successful execution of a grant agreement. All grants are funded on a *reimbursement-only* basis (award funds are provided as a reimbursement to the grantee for eligible expenditures documented and paid). Grant closeout will require certification from a professional engineer that the project has been completed; that the design and installation conform to all applicable federal, state, and local requirements and standard engineering practice; and that the installed infrastructure will provide the broadband service stated in the application.

- 4.6. Customer Pricing: Grantees are expected to offer service at the pricing and speed levels stated in their application for at least one (1) year after grant closeout. After this period, grantees are expected to maintain pricing and speed levels for the ROBIN project area consistent with those found in the grantee's non-ROBIN service areas elsewhere in the state. While not a contractual requirement, it is expected that the selected applicants will have incorporated this criterion into their business plan.
- 4.7. Accountability and Reporting: Grantees will be required to provide quarterly reports to LEO from the time they receive funds to one (1) year after completion of the project. The quarterly reports shall be made publicly available on the department's website with any proprietary information redacted. The reports shall be in a format specified by the department and shall give an accounting by the grantee of the use of the funds received and the progress toward fulfilling the objectives for which the funds were granted.
- 4.8. Resolution/Affidavit Authorizing Application: The applicant must complete and approve a resolution or affidavit authorizing the application and guaranteeing the project match.
- 4.9. Amendments: The Department reserves the right to amend the application or project scope and/or partially fund applications.

5. **Federal Requirements:** The MIHI Office is awaiting additional guidance on federal requirements from the United States Department of the Treasury to provide increased clarity. This guidance is expected to be published during the ROBIN application window. Once received, additional guidance will be posted on the ROBIN website and notifications will be sent via email to subscribers of the MIHI email newsletter and those that have created accounts in the ROBIN online application system. This section should be reviewed and understood by all applicants and treated as guidance for the federal requirements related to this program until further clarity is obtained from the United States Department of the Treasury.

The ROBIN Grant Program is funded through the Coronavirus Capital Projects Fund, established by Section 604 of the Social Security Act, as added by Section 9901 of the American Rescue Plan Act of 2021, and administered by the United States Department of the Treasury. Grantees are responsible for complying with all applicable federal, Tribal, local, and state laws.

In addition to the requirements explicitly stated in this guidance, grantees shall follow all applicable requirements found in [2 C.F.R. Part 200](#). Investments in Capital Projects must be carried out in ways that comply with applicable federal laws, including the 2019 National Defense Authorization Act (NDAA). Among other requirements contained in 2 C.F.R. 200, 2 C.F.R. 200.216 implements certain provisions of the NDAA and contains prohibitions on the use of grant funds to procure or obtain certain telecommunications and video surveillance services or equipment provided or produced by designated entities, including certain entities owned or controlled by the People's Republic of China. In addition, 2 C.F.R. 200.471 provides that certain telecommunications and video surveillance costs associated with 2 C.F.R. 200.216 are unallowable.

Grantees shall also adhere to applicable requirements found in the Guidance for the Coronavirus Capital Projects Fund document released by the United States Department of the Treasury: <https://home.treasury.gov/system/files/136/Capital-Projects-Fund-Guidance-States-Territories-and-Freely-Associated-States.pdf>. Grant funding shall not be used for costs that will be reimbursed by other federal or state funding stream(s). That is, Coronavirus Capital Projects Fund grant funds must be used only for complementary purposes. Recipients must ensure there is additional public benefit and a justification for using additional public funding to deploy to those locations.

Recipients of federal financial assistance from the United States Department of the Treasury are required to meet legal requirements relating to nondiscrimination and nondiscriminatory use of federal funds. Those requirements include ensuring that entities receiving federal financial assistance from the U.S. Department of Treasury do not deny benefits or services, or otherwise discriminate on the basis of race, color, national origin (including limited English proficiency), disability, age, or sex (including sexual orientation and gender identity), in accordance with the following authorities: Title VI of the Civil Rights Act of 1964 (Title VI), 42 U.S.C. 2000d-1 et seq., and the Department's implementing regulations, 31 C.F.R. part 22; Section 504 of the Rehabilitation Act of 1973 (Section 504), 29 U.S.C. 794; Title IX of the Education Amendments of 1972 (Title IX), 20 U.S.C. 1681 et seq., and the Department's implementing regulations, 31 C.F.R. part 28; Age Discrimination Act of 1975, 42 U.S.C. 6101 et seq., and the Department implementing regulations at 31 C.F.R. part 23.

- 5.1. **Applicability:** Under [2 C.F.R. 200.101](#), the terms and conditions of federal awards generally flow down to subcontracts and subawards. This means that non-federal entities must comply with requirements regardless of whether the non-federal entity is a recipient or subrecipient of a federal award.
- 5.2. **Internal Controls:** Per [2 C.F.R. 200.303](#), all non-federal entities must establish effective internal controls to ensure that funding decisions constitute eligible uses of funds and document determinations.
- 5.3. **Allowable Costs:** As outlined in the Uniform Guidance at [2 C.F.R. 200, Subpart E](#) regarding Cost Principles, allowable costs are based on the premise that a recipient is responsible for the effective administration of federal awards, application of sound management practices, and administration of federal funds in a manner consistent with the program objectives and terms and conditions of the award. Any costs reimbursed with program funds must be reasonable and allocable, as described in [2 C.F.R. Part 200.404 and Part 200.405](#), respectively.

The costs related to the project are only allowed to be charged to the grant if they are necessary and reasonable for the performance of the grant program award. Costs must be consistently charged as either indirect or direct costs but may not be double charged or inconsistently charged as both, as described in [2 C.F.R. 200.403](#). Direct costs are those that are identified specifically as costs of implementing the program objectives, such as contract support, materials, and supplies for a project. Indirect costs are general overhead costs of an organization where a portion of such costs are allocable to the grant award such as the cost of facilities or administrative functions like a director's office contract support, materials, and supplies for a project. If a

recipient has a current Negotiated Indirect Costs Rate Agreement (“NICRA”) established with a federal cognizant agency responsible for reviewing, negotiating, and approving cost allocation plans or indirect cost proposals, then the recipient may use its current NICRA. Alternatively, if the recipient does not have a NICRA, the recipient may elect to use the de minimis rate of 10 percent of the modified total direct costs pursuant to [2 CFR 200.414\(f\)](#).

- 5.4. **Program Income:** Generally, program income includes, but is not limited to, income from fees for services performed, the use or rental of real or personal property acquired under federal awards, and principal and interest on loans made with federal award funds. Ordinarily, program income must be deducted from total allowable costs to determine the net allowable costs, as per [2 C.F.R. 200.307](#). Program income must be used for current costs unless the federal awarding agency authorizes otherwise.
- 5.5. **Real Property and Equipment:** Equipment and real property acquired with federal funds must be used for the originally authorized purpose. Consistent with [2 C.F.R. 200.311](#) and [2 C.F.R. 200.313](#), any equipment or real property acquired using federal funds shall vest in the non-federal entity. A non-federal entity must request disposition instructions for real property from the awarding agency, which may include the retention of the title, sale of the property, or transfer of the title. In the event that original or replacement grant-funded equipment is no longer needed for the original project or program, the non-federal entity must dispose of the property in accordance with 2 C.F.R. 200.313. The Uniform Relocation Assistance and Real Property Acquisition Act of 1970 ([42 USC §§ 4601-4655](#)) (URA) and implementing regulations in [49 C.F.R. Part 24](#) are also applicable.
- 5.6. **Prohibition on Certain Telecommunications and Video Surveillance Services, Equipment, and Costs:** Recipients and subrecipients may not use grant funds to procure or obtain certain telecommunications and video surveillance services or equipment provided or produced by designated entities, including certain entities owned or controlled by the People’s Republic of China, [2 C.F.R. 200.216](#). Under [2 C.F.R. 200.471](#), certain telecommunications and video surveillance costs associated with 2 C.F.R. 200.216 are unallowable.
- 5.7. **Remedies for Noncompliance:** Recipients and subrecipients shall comply with the terms of the grant agreement and applicable federal laws, regulations, and guidance. Noncompliance may result in actions set forth in [2 C.F.R. 200.339](#).
- 5.8. **Closeout:** Any funds not obligated or expended for eligible uses in the eligible cost timeframe must be returned to the federal agency, including any unobligated or unexpended funds that have been provided to subrecipients and contractors as part of the award closeout process pursuant to [2 C.F.R. 200.344\(d\)](#).
- 5.9. **Monitoring and Reporting:** Pursuant to [2 C.F.R. 200.332](#), recipients are responsible for monitoring and overseeing subrecipients’ use of funds and other activities related to the award to ensure that subrecipients comply with the applicable statutory and regulatory requirements, and the terms and conditions of the award.
- 5.10. **Financial Reporting:** Financial and performance information will be required at least annually, using OMB-approved standard government-wide information collections, as per [2 C.F.R. 200.328](#).
- 5.11. **Construction Performance Reports:** [2 C.F.R. 200.329](#) includes additional monitoring and reporting requirements. For the most part, onsite technical inspections and certified percentage of completion data are relied on heavily by federal awarding agencies and pass-through entities to monitor progress under federal awards and subawards for construction.
- 5.12. **Reporting on Real Property:** As per [2 C.F.R. 200.330](#), reports will be required at least annually on the status of real property in which the federal government retains an interest unless the federal interest in the real property extends 15 years or longer.
- 5.13. **Access to Records:** Pursuant to [2 C.F.R. 200.337](#), federal representatives have the right of access to any documents, papers, or other records of the non-federal entity which are pertinent to the federal award, in order to make audits, examinations, excerpts, and transcripts. The rights of access in this section are not limited to the required retention period but last as long as the records are retained.
- 5.14. **Audits:** Pursuant to the Single Audit Act and its implementing regulation at [2 C.F.R. 200, Subpart F](#), recipients and subrecipients expending \$750,000 or more from all federal sources within a fiscal year are required to have a Single Audit conducted for that fiscal year. For-profit subrecipients that receive subawards are not subject to Single Audit requirements, however, they are subject to other audits as deemed necessary by authorized governmental entities, including Treasury and Treasury’s OIG. Note that the Compliance Supplement provides information on the existing, important compliance requirements that the federal government expects to be considered as a part of such audit.

5.15. Contract Provisions for Non-Federal Entity Contracts Under Federal Awards: In addition to other provisions required by the federal agency or non-federal entity, all contracts made by the non-federal entity under the federal award must contain provisions covered in [2 C.F.R. 200 - Appendix II](#). All contracts made by a recipient or subrecipient in excess of \$100,000 that involve the employment of mechanics or laborers must include a provision for compliance with certain provisions of the Contract Work Hours and Safety Standards Act, [40 U.S.C. 3702 and 3704](#), as supplemented by Department of Labor regulations ([29 C.F.R. Part 5](#)). Work in excess of the standard work week is permissible provided that the worker is compensated at a rate of not less than one and a half times the basic rate of pay for all overtime hours. Working conditions must not be unsanitary, hazardous, or dangerous.

5.15.1. Suspension and Debarment Requirements: All recipients and subrecipients, their prime contractor, and subcontractors (including contracted administrators and engineers) must comply with all financial management and federal requirements, and document that they are not suspended, debarred, or otherwise excluded prior to contract execution (no exclusions stated), [2 C.F.R. 200.214](#).

The Uniform Guidance, pursuant to [2 CFR 180](#), requires an infrastructure for competitive bidding and contractor oversight, including maintaining written standards of conduct and prohibitions on dealing with suspended or debarred parties.

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

- A. Labor Standards Provisions of [29 C.F.R. 5](#)
- B. Contract Work Hours and Safety Standards Act of 1962, as amended ([40 U.S.C. 3701- 3708](#))
- C. Federal Fair Labor Standards Act of 1938, as amended ([29 U.S.C. 201-219](#))
- D. Copeland "Anti-Kickback" Act (18 U.S.C. 874)

For projects over \$5 million (based on expected total cost) ([updated 2/1/2023](#)), the recipient or subrecipient may provide a certification that all laborers and mechanics employed by contractors and subcontractors in the performance of such project are paid wages at rates not less than those prevailing, as determined by the U.S. Secretary of Labor in accordance with [subchapter IV of chapter 31 of title 40, United States Code](#) (commonly known as the "Davis-Bacon Act"), for the corresponding classes of laborers and mechanics employed on projects of a character similar to the contract work in the civil subdivision of the State in which the work is to be performed, or by the appropriate State entity pursuant to a corollary State prevailing-wage-in-construction law. If such certification is not provided, a recipient or subrecipient must provide a project employment and local impact report.

A recipient or subrecipient may provide a certification that a project includes a project labor agreement, meaning a pre-hire collective bargaining agreement consistent with section 8(f) of the National Labor Relations Act ([29 U.S.C. 158\(f\)](#)). If the recipient does not provide such certification, the recipient must provide a project workforce continuity plan.

It is important that investments utilizing Coronavirus Capital Projects Funds be carried out in ways that produce high-quality infrastructure, avert disruptive and costly delays, and promote efficiency. Grantees are encouraged to ensure that projects incorporate strong labor standards, including project labor agreements and community benefits agreements that offer wages at or above the prevailing rate and include local hire provisions, not only to promote effective and efficient delivery of high-quality infrastructure projects but also to support the economic recovery through strong employment opportunities for workers. Among other requirements contained in 2 C.F.R. 200, Appendix II, all contracts made by the MIHI Office in excess of \$100,000 that involve employment of mechanics or laborers must include a provision for compliance with certain provisions of the Contract Work Hours and Safety Standards Act, 40 U.S.C. 3702 and 3704, as supplemented by Department of Labor regulations (29 C.F.R. Part 5).

5.15.3. Civil Rights: Recipients and subrecipients must comply with applicable statutes and regulations prohibiting discrimination, including:

- A. [Title VI of the Civil Rights Act of 1964](#) (42 U.S.C. 2000d et seq.), and the Treasury's implementing regulations, [31 CFR Part 22](#), which prohibits discrimination on the basis of race, color, or national origin under programs

or activities receiving federal financial assistance

- B. [Section 504 of the Rehabilitation Act of 1973](#), as amended (29 U.S.C. 794), which prohibits discrimination on the basis of disability under any program or activity receiving federal financial assistance
 - C. [Title IX of the Education Amendments of 1972](#) (Title IX), 20 U.S.C. 1681 et seq., and the Department of Justice's implementing regulations, [31 CFR Part 28](#)
 - D. [The Age Discrimination Act of 1975](#), as amended (42 U.S.C. 6101 et seq.), and the Treasury implementing regulations at [31 CFR Part 23](#), prohibits discrimination on the basis of age in programs or activities receiving federal financial assistance
 - E. Title II of the Americans with Disabilities Act of 1990, as amended ([42 U.S.C. 12101 et seq.](#)), prohibits discrimination on the basis of disability under programs, activities, and services provided or made available by state and local governments or instrumentalities or agencies thereto.
- 5.15.4. **Environmental Review:** National Environmental Policy Act (NEPA) does not apply to the Treasury's administration of the Funds. Projects supported with payments from the Funds may still be subject to NEPA review if they are also funded by other federal financial assistance programs.
- 5.15.5. **Procurement Standards:** Recipients and subrecipients must follow the procurement requirements outlined in [2 C.F.R. 200.317 through 200.327](#) for the acquisition of property or services required under a federal award or subaward. Non-federal entities must maintain oversight to ensure that contractors perform in accordance with the terms, conditions, and specifications of their contracts or purchase orders. Non-federal entities must follow formal procurement methods if procurement is over a threshold value. Threshold values and other factors determine the method of allowable procurement. It is the responsibility of the recipient or subrecipient to understand their local procedures and policies and assure that the most stringent of the federal and state requirements are adhered to. As per [2 C.F.R. 200.321](#), all non-federal entities must take all necessary affirmative steps to assure that minority businesses, women's business enterprises, and labor surplus area firms are used when possible.
- 5.15.6. **SAM.gov Registration:** Pursuant to [2 C.F.R. 25](#), each applicant must obtain a Unique Entity Identifier from the federal System for Award Management (SAM) prior to receiving a subgrant agreement.
- 5.16. **Summary:** The requirements and regulations above provide a broad overview of the requirements and regulations that apply to federally funded broadband programs and are not meant to be an exhaustive list of all the requirements and regulations that subrecipients will be subject to.

Other requirements include, but are not limited to:

- A. The Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards ([2 C.F.R. 200](#)) in general.
- B. The Hatch Act ([5 U.S.C. 1501-1508 and 7324-7328](#))
- C. Governmentwide Requirements for Drug-Free Workplace ([31 C.F.R. 20](#))
- D. New Restrictions on Lobbying ([31 C.F.R. 21](#))
- E. Protections for Whistleblowers ([41 U.S.C. 4712](#))
- F. False Claims Act ([31 U.S.C. 3729-3733](#))
- G. Rules and Procedures for Efficient Federal-State Funds Transfers ([31 C.F.R. 205](#))
- H. Single Audit Act Amendments of 1996 ([31 U.S.C. 7501-7507](#)).

6. Evaluation and Scoring Criteria

- 6.1. Review and Eligibility: The evaluation of an application and selection of an applicant for an award will be based on the information submitted in the application including any required attachments and documentation. Failure to respond to each of the requirements in the application may be the basis for rejecting a response. The MIHI Office will accept applications for the ROBIN program through a competitive grant process that uses technology neutral and scalable network standards and results in awards to applicants proposing projects based on objective and efficient procedures and criteria.
- 6.2. Scoring Overview: Each application received will be validated for its completeness and eligibility and scored using a comprehensive set of criteria. Applications will be given a score between zero and 250. Points will be awarded in the following categories based on the responses and materials submitted by applicants:

Section	Category	Possible Points
Experience, financial wherewithal, long-term viability of the project	<i>Financial wherewithal</i>	10
	<i>Organizational capacity</i>	15
	<i>Viability</i>	10
Readiness to build, operate, and maintain the project	<i>Demonstration of project readiness</i>	10
	<i>Technical demonstration</i>	10
	<i>Scalability</i>	10
Community support and economic impact	<i>Evidence of community support</i>	10
	<i>Benefits to community anchor institutions</i>	10
	<i>Economic impact</i>	10
Locations passed	<i>Total number of locations to be served</i>	15
	<i>Proportion of total locations that, "currently have no internet access"</i>	15
	<i>Speed of service</i>	15
Digital equity and inclusion	<i>Monthly cost of service</i>	10
	<i>Data caps</i>	10
	<i>Low-cost service offering</i>	10
	<i>Opportunity zones</i>	10
	<i>Training</i>	10
	<i>Awareness</i>	10
Grant to project costs		40
Comprehensive proposal		10
Total Points		250

- 6.3. Scoring Details: The following provides more information on each of the scoring criteria listed previously.

6.3.1. Financial wherewithal, organizational capacity, and long-term viability of the project: This section scores each applicant's experience relevant to the provision of broadband service and their qualifications to build, manage, and operate the project.

6.3.1.1. Financial wherewithal: Applicants and applications will be reviewed for their financial wherewithal and sustainability. Examples of financial wherewithal include, but are not limited to, identification of eligible costs, leveraging existing broadband, secured financing, additional costs identified, financial plan, financial strength demonstrated, and a resolution/applicant affidavit. Applicants should also indicate whether they have outstanding broadband loans or grants from any other entity.

6.3.1.2. Organizational capacity: Applicants will be reviewed for their organizational capacity to deploy the proposed project. Examples of an applicant's organizational capacity include, but are not limited to, quality/experience of partners and project staff, organizational charts, company history, and resumes. Additionally, preference will be given to applicants who can demonstrate the following in accordance with Coronavirus Capital Projects Fund guidance from the United States Department of the Treasury; 1) their workforce meets high safety and

training standards, including professional certification, licensure and/or robust in-house training; 2) prioritization in hiring of local workers and/or workers from historically disadvantaged communities; 3) direct employment of their workforce, or policies and practices in place to ensure contractors and subcontractors meet high labor standards; and 4) no recent violations of federal and state labor and employment laws.

- 6.3.1.3. **Viability:** Applications will be reviewed for the long-term sustainability of the network to provide service to the proposed eligible locations and for the likelihood the locations will not be served without state grant funding. Applicants must certify their commitment to providing the proposed level of service and cost for at least one (1) year after grant closeout. After this period, grantees are expected to maintain pricing and speed levels for the ROBIN project area consistent with those found in the grantee's non-ROBIN service areas elsewhere in the state.
- 6.3.2. **Readiness to build, operate, and maintain the project:** This section scores each applicant's experience and ability to deploy the proposed networks within the grant timeline, the applicant's technical acumen, and the scalability of the network.
- 6.3.2.1. **Demonstration of project readiness:** Demonstration of an applicant's project readiness include, but are not limited to, an engineering and design plan signed and stamped by a licensed engineer, evidence that financing is secured, permits identified and secured, other approvals secured or in process (e.g., environmental, historic, etc.), thorough and complete project schedule, other evidence of readiness to build, manage, and operate the project.
- 6.3.2.2. **Technical demonstration:** Examples of an applicant's technical demonstration include, but are not limited to, a clear and concise project description, commitment to offering service in the project area, a realistic project schedule and budget that are reflective of the broadband service being proposed, and clear documentation of locations to be served. Applicants should also provide evidence of experience with similar infrastructure deployments and service offerings.
- 6.3.2.3. **Scalability:** Applicants should provide evidence that the proposed network can scale to meet the future connectivity needs of the community and the homes, businesses, and institutions to be served, including the range of speed tiers to be offered to new customers.
- 6.3.3. **Community support, anchor institutions, and economic impact:** This section scores each applicant's demonstration of community support, collaboration, and partnerships to achieve the economic goals of the communities in which new broadband deployments are proposed.
- 6.3.3.1. **Evidence of community support:** Applicants can show community support in a variety of ways. Formal Public-Private Partnerships (PPPs) are the strongest evidence of community support. Applicants should provide the contract, agreement, or similar evidence of the PPP with one or more communities. Applicants must also show evidence that the PPP was created through a competitive bid process and complies with applicable state laws (per PA 53 of 2022). Applicants without a formal PPP are encouraged to submit letters of support from communities within the proposed service area. These letters, ideally, would include commitments from the communities or interested parties to materially support the project. This support could be in the form of matching funds, permit fee or process reductions, dedication of a single point of contact within the community to ensure project timeliness, waiver of certain requirements, or other methods the community offers in support of the project. Letters of support without such commitments will also be considered. Applicants should provide links to any relevant and published community plans that specifically call for the expansion of service like those proposed in the application.
- 6.3.3.2. **Benefits to community anchor institutions:** Applicants should provide a list of community anchor institutions (CAIs) that will benefit from the project. Applicants should submit letters of support from impacted CAIs that describe the benefits to be gained from the proposed project. If the applicant intends to provide connectivity to schools and/or libraries, applicants should also provide evidence of experience with the Federal Communications Commission/Universal Service Administrative Company E-rate program, their Service Provider Identification Number (SPIN), and/or evidence of application for a SPIN.

6.3.3.3. Economic impact: Applicants should provide evidence of the economic impact of their projects. This impact could be through direct economic expansion of local businesses or through indirect economic impacts for residents and others in the community. Applicants should demonstrate that they are aware of the economic impact their projects will have on the communities they intend to serve. Additionally, applicants should show any evidence of direct job creation related to their deployments.

6.3.4. Locations passed: This section scores the number of locations to be connected by the proposed project, the proportion of those locations that “currently have no internet access,” and the minimum speeds offered to eligible locations. This scoring criteria section relies on data related to the delivery of last mile internet service. For middle mile projects, applications will be scored based on the impact the proposed middle mile infrastructure will have on the deployment of last mile service to unserved areas. Middle mile applicants must demonstrate commitments and partnerships with last mile internet service providers that will leverage the proposed middle mile infrastructure to deploy service to unserved locations. Middle mile applicants must gather and present the relevant information by which the application will be scored.

6.3.4.1. Total number of locations to be served: Applicants should provide the number of homes, businesses, and CAIs to which service will be available from the proposed network. This category rewards projects taking advantage of economies of scale to design and deploy networks to many eligible locations. Applicants should indicate the total number of eligible locations to be served by the project that are currently without service at 100/20 Mbps and those without service at 25/3 Mbps. The following provides more detail on how this criterion will be scored:

Total Locations to be Served	Points
100 or fewer	3
101 – 500	6
501 – 1,000	9
1,001 – 2,500	12
More than 2,500	15

6.3.4.2. Proportion of total locations that “currently have no internet access”: The ROBIN enabling legislation directs the MIHI Office to prioritize connections to areas that “currently have no internet access.” To identify these areas, the MIHI Office uses the definition of “unserved” found in the Bipartisan Infrastructure Law (Public Law 117-58, Sec. 60102(a)(1)(A)), to mean locations that do not have access to a broadband connection with a speed greater than 25/3 Mbps. Applicants will receive points for the proportion of the total locations to be served that are considered to “currently have no internet access.” The following provides more detail on how this criterion will be scored. Percentages will be rounded to the nearest one-tenth of a percent (0.1%).

Proportion of total locations that “currently have no internet access”	Points
Less than 10%	0
10% - 20%	3
20.1% - 30%	6
30.1% - 40%	9
40.1% - 50%	12
Greater than 50%	15

6.3.4.3. Speed of service: All grantees must deploy networks that offer a minimum connection speed of 100/100 Mbps, however, PA 53 of 2022 directs LEO to prioritize projects capable of providing service at faster speeds. Applicants are encouraged to offer speeds to customers that are faster than the 100/100 Mbps minimum requirement at affordable rates (*updated 2/23/2023*). The following provides more detail on how this criterion will be scored.

Maximum speed offered <i>(Updated 2/23/2023)</i>	Points
100/100 Mbps	0
200/200 Mbps	5
500/500 Mbps	10
1,000/1,000 Mbps (1/1 Gbps) or more	15

6.3.5. Grant to project costs: This section scores the ratio of the requested grant funds compared to the total project cost. Applications that bring greater matching funds to their proposed project will score more points. The ratio of grant to project costs must not be higher than eighty-five percent (85%). Matching funds can come from a variety of sources including private, non-profit, and public sources available to the applicant. The following provides more detail on how this criterion will be scored. Match proportion calculations will be rounded to the nearest one-tenth of a percent, (0.1%).

Grant request proportion of total project cost	Points
85% - 70%	8
69.9% - 65%	16
64.9% - 60%	24
59.9% - 50%	32
Less than 50%	40

6.3.6. Digital equity and inclusion: This section scores application elements related to the affordability and usability of the proposed networks. Digital equity and inclusion efforts ensure that once a connection is available, residents and businesses are able use the connection and are aware of the benefits of being connected to high-speed internet service, all of which contribute to the long-term viability of newly deployed networks. This scoring criteria section relies on data related to the delivery of last mile internet service. For middle mile projects, applications will be scored based on the impact the proposed middle mile infrastructure will have on the deployment of last mile service to unserved areas. Middle mile applicants must demonstrate commitments and partnerships with last mile internet service providers that will leverage the proposed middle mile infrastructure to deploy service to unserved locations. Middle mile applicants must gather and present the relevant information by which the application will be scored.

6.3.6.1. Monthly cost of service: Applicants are encouraged to ensure that the cost of service for their products is affordable to those they intend to serve. MIHI uses the FCC's Broadband Reasonable Comparability Benchmark tool to compare the applicant proposed service costs for the minimum speed offered to customers to a national standard for the same type of service, (<https://www.fcc.gov/economics-analytics/industry-analysis-division/urban-rate-survey-data-resources>). Points will be awarded based on the ratio of the proposed cost of the minimum service offering compared to the national benchmark standard published by the FCC for the same level of service. For example, The Broadband Reasonable Comparability Benchmark rate for a connection with a download speed of 100 Mbps and an upload speed of 100 Mbps with unlimited data usage is \$98.59 per month (*updated 2/17/2023*). The following provides more detail on how this criterion will be scored. Ratio calculations will be rounded to the nearest one-tenth of a percent (0.1%).

Ratio of proposed cost of service to FCC Reasonable Comparability Benchmark Calculator	Points
Greater than or equal to 85%	0
75% - 84.9%	4
65% - 74.9%	7
Less than 65%	10

6.3.6.2. Data caps: Applicants are encouraged to deploy services that do not have a data cap of any kind. Applicants proposing data usage caps of any kind will receive zero points in this category.

6.3.6.3. Low-cost service offerings: All ROBIN grant recipients must participate in the FCC’s Affordable Connectivity Program (ACP) to qualify, and applicants must show evidence of their participation in the program (<https://www.fcc.gov/acp>). Additionally, applicants are encouraged to establish a low-cost service offering that when coupled with the ACP provides eligible households with a net \$0 monthly cost of service. The low-cost service offering must meet the minimum speed requirements for the ROBIN program (100/100 Mbps) and those of the ACP. Applicants offering a low-cost service option will receive full points in this section. Those without such an offering will receive zero points.

6.3.6.4. Opportunity zones: Applicants are encouraged to include federal Qualified Opportunity Zones (QOZs) in their applications, in whole or in part. QOZs are an economic development tool with the purpose of spurring economic growth and job creation in low-income communities. QOZs are designated at the Census Tract level and a listing and map of QOZs can be found here: <https://www.cdfifund.gov/opportunity-zones>. The State of Michigan does not make any guarantees or warranties as to any preferential tax treatment afforded or not afforded to a ROBIN program subgrantee or applicant due to the deployment of broadband service within a QOZ. The following provides more detail on how this criterion will be scored.

Opportunity zones included in application	Points
Proposed service area does not include any part of a QOZ	0
Proposed service area contains a portion of a least one QOZ	5
Proposed service area wholly contains at least one QOZ	10

6.3.6.5. Training: Applicants are encouraged to establish meaningful partnerships with organizations in the proposed project area that support the development of digital skills, workforce development, cyber safety, and other related skillsets among residents and businesses. Applicants are encouraged to create partnerships with libraries, schools, senior centers, related non-profit organizations, and other similar entities, or any consortia thereof to provide digital skills training to community members. Applicants shall provide evidence of these partnerships with letters of support, MOUs, or other similar documents, if applicable. Applicants should also include information on any training they plan to provide to subscribers of the newly deployed service.

6.3.6.6. Awareness: Applicants should provide a communications plan outlining strategies for engagement and awareness activities with proposed project area communities. This communications plan should indicate how the applicant will provide information to homes, businesses, and institutions impacted by the proposed project, and should promote the use of an internet connection for improving a consumer’s quality of life, access to resources, economic opportunity, telehealth, distance learning, etc.

6.3.7. Comprehensive proposal: The section scores the overall completeness of a ROBIN application. Applications should be well prepared; all responses should be complete, concise, and clearly understandable; and all attachments should be included and follow the designated naming structure.

7. Preparing and Submitting an Application

- 7.1 Submission: The application must be submitted using the grant application system available on the MIHI Office grant website: <https://www.michigan.gov/leo/bureaus-agencies/mihi/funding-opportunities>. Applications submitted by any means other than the MIHI Office electronic grant system or past the deadline will not be accepted.
- 7.2 Attachments: Attachments must be submitted following the designated naming structure. Applicants are to use the name of their organization followed by the attachment number and file type (e.g., ABCTelecom_Attachment_1.xlsx). A list of attachments is included in the application checklist and the application itself.
- 7.3 Multiple Applications: An applicant may apply for more than one project, but an individual (separate) and complete application must be submitted for each project. The maximum grant amount is \$30 million to any one project. The maximum grant award for any one applicant across multiple successful applications is \$60 million.
- 7.4 Late Applications: It is the applicant's responsibility to ensure the application is received by the MIHI Office prior to the submission deadline. Official application submission date and time will be determined by the time stamp accompanying the application submission via the online grant system. Applications dated and time stamped in any other way will be rejected.
- 7.5 Withdrawal: An applicant may withdraw an application in writing at any time up to the application closing date and time. To accomplish this, the applicant must submit a written request to withdraw the application, and the request must be signed by an authorized representative of the applicant and submitted to the MIHI Office. If a previously submitted application is withdrawn before the due date and time, the applicant may submit another application at any time up to the application closing date and time.
- 7.6 Public/Non-Public Application Information: In order to protect sensitive information required as part of the application, MIHI is requiring applicants to identify the portions of their application that are considered to be trade secrets, financial information, and proprietary information that are exempt from disclosure under the freedom of information act, 1976 PA 442, MCL 15.231 to 15.246.
- 7.6.1 Identification of sensitive information: Applicants must identify which portions of their application contain sensitive information. The online ROBIN grant application system allows applicants to identify such information as the application is completed. Information identified in the application as sensitive will not be included in the applications published online should the application be selected for a grant. It is the responsibility of the applicant to ensure that information identified as confidential is done so in accordance with the State of Michigan Freedom of Information Act and per the instructions for completing the Confidential Treatment Form.
- 7.6.2 Confidential treatment form: Applicants must also submit a Confidential Treatment Form to accompany their application that identifies the sensitive information included in their application and the reason for it to be excluded from public view.
- 7.7 Application costs: Neither the MIHI Office nor the State of Michigan are liable for any cost incurred by an applicant in preparing a ROBIN grant application.
- 7.8 Key dates: Listed below are dates and times of actions related to the application. In the event that the MIHI Office finds it necessary to change any of the dates and times to the schedule of events listed below, it will do so by issuing those revisions on the ROBIN grant website: <https://www.michigan.gov/leo/bureaus-agencies/mihi/funding-opportunities>. The following provides an estimated timeline for the ROBIN program. Dates are subject to change.
- | | |
|---------------------|--|
| January 12, 2023: | Application window opens |
| March 14, 2023: | Applications due by 4:00 PM EDT |
| March – April 2023: | Application review and award recommendations published |
| April – May 2023: | 45-day comment/objection period |
| May – June 2023: | Comment/objection validation |
| June 2023: | Final grant awards announced |
- 7.9 Rejection: The MIHI Office reserves the right, at its sole discretion, to reject an application if it: 1) does not meet the program

requirements including scope, eligibility, and allowable grant dollar use; 2) is received after the deadline; 3) is incomplete or missing any of the required forms, narrative, and budget; or 4) does not follow the outlined application requirements.

8. Equal Opportunities in State Grant Programs

- 8.1. A person or entity and any contractor of the person or entity, subcontractor of the contractor, or sub-recipient of the grant, shall not discriminate against an employee or an applicant for employment in hiring, any terms and conditions of employment, or matters related to employment because of religion, race, color, national origin, age, sex, height, weight, marital status, partisan considerations, or a disability or genetic information that is unrelated to the person's ability to perform the duties of a particular job or position (see [Executive Directive 2019-09](#)).
- 8.2. The department will provide reasonable accommodations, including the provision of informational material in an alternative format, for qualified individuals with disabilities upon request. If you require an accommodation, contact Jason Guthaus, Infrastructure Program Manager, MIHI Office at 517-582-1816 or GuthausJ@michigan.gov.