



Broadband Construction Projects

This document provides specific guidance for traditional **broadband construction projects** per ARC's Strategic Plan Goal 3.2. Applications may involve multiple activities as part of a single project; ARC encourages applicants to review the specific guidance for each type of activity included in an application.

All application guidance is grounded in the goals and principles of [ARC's current strategic plan](#), which emphasize strategic focus, collaboration, sustainability, and measurable impact in ARC investments.

ARC invests in projects that promote the productive and strategic use of broadband and other telecommunications infrastructure to increase connectivity and strengthen economic competitiveness. Planning/feasibility studies and implementation investments in **broadband infrastructure** have helped reduce the Region's isolation and spur economic activity. Generally, ARC categorizes broadband-related projects under Goal 3 of its strategic plan; however, broadband activities may be components of projects under other goals.

Examples of broadband construction projects include, but are not limited to:

- Installation of fiber or a wireless system into an industrial park to supply the bandwidth necessary for an expanding industry
- Construction of a middle mile fiber optic network to increase bandwidth and capacity
- Construction of a last mile FTTX network to bring service to underserved/unserved areas

* Note: Though planning activities that support broadband deployment would be classified by ARC as a non-construction project, planning studies to explore network options for a single district or a cluster of communities that lack broadband should be noted here as an additional example of projects related to broadband construction and eligible for ARC funding. These studies would assess the existing and future broadband needs, potential technology solutions, and costs for construction.

Key Principles of Broadband Construction Investments

As outlined in ARC's strategic plan, activities should be strategic, sustainable, collaborative, and impactful.

Strategic:

- The proposal should identify the problems and/or opportunities the project will address and identify the critical circumstances that compel the project to be a priority for the community.
- Project should only serve areas:
 - Designated Unserved (<25/3) or Underserved (<100/20) by their respective state broadband authority.
 - That lack existing federal or state commitments for broadband service.
- Project should not duplicate existing projects or initiatives.
- A feasibility study should be conducted prior to applying for construction funds to examine current broadband availability.
- Applicants should consult their respective state BEAD proposals and work with their State Broadband office to ensure projects are eligible and necessary. See NTIA's "BEAD Plans and Resources" under "Additional Resources".

Sustainable:

More Information

For general guidance on how to develop a complete and competitive application for ARC project funding, all applicants should refer to the application framework and instructions detailed in the [Checklist for ARC Non-Construction Project Applications](#) form or the [Checklist for ARC Construction Project Applications](#) form, as appropriate, available in the applicant resources section of our website.

Applicants should also consult their ARC State Program Manager*, their state's Appalachian Development Plan* and Annual Strategy Statement* for additional information.

*This information can be found [HERE](#) by navigating to the page and clicking on the appropriate state link.

- Depending on the project activity, applicants should explain how the project will be maintained after grant funds are used. Feasibility and planning studies should include a deployment strategy and a plan for securing resources for implementation.
- Identify the departments or organizations responsible for project activities and describe their capacity to handle project management. This might include plans to engage a 3rd-party consultant to develop RFP's, negotiate contracts, validate service availability and quality, and conduct training for in-house capacity building.

Collaborative:

- Describe how the project supports its state broadband strategy and the efforts to collaborate with its state broadband office.
- Identify all project partners, including local, regional, state and federal entities that will support the project, and any service providers.

Impactful:

- Proposals should address the question: How will the project benefit the community and/or businesses and residents?
- Provide quantifiable output and outcome measures consistent with ARC's Guide for Performance Measures which may be accessed here <https://www.arc.gov/resource/guide-to-arc-project-performance-measures/>. Examples of suitable measures could include the number of homes or businesses expected to benefit from a new system or the speed of the new broadband service.

Reporting Requirements:

- Grantee must provide ARC with Broadband Serviceable Location Fabric (Fabric) for the project locations to be served (please see <https://www.arc.gov/resource/broadband-applicant-reporting-templates/>). This information will designate homes, businesses and community anchor institutions associated with the project as part of an Enforceable Commitment and will impact the project area's ability to receive future grant funding for broadband service availability. Note that a contingent award may be used to delay this designation for the purpose of securing additional grant funding for a project. *See also FCC Broadband Data link under "Additional Resources"*.
- ARC will gather data required to comply with the data and mapping collection standards of the Federal Communications Commission (FCC) under Section 1.7004 of title 47, Code of Federal Regulations, or any successor regulation, for broadband infrastructure projects, and data requested by NTIA to comply with the ACCESS BROADBAND Act local economic impact reporting requirements, including impacts on jobs and small businesses.
- **Additional reporting obligation:** Awardees must report their broadband availability data to the FCC's Broadband Data Collection once the awarded project begins to offer service.

Technical Requirements:

- Applicants for broadband construction projects must submit high-level network design and conceptual plans (details regarding site locations for central office [hut/electronics], details regarding ROW's and easements, etc.) to ensure feasibility of the proposed project.
- The internet service provider (ISP) must deliver service that reliably meets or exceeds symmetrical speeds of 100Mbps and a maximum latency of 100ms, so that communities have future-proof infrastructure to serve their long-term needs. However, funding services that provide reliable broadband services of 100Mbps download and 20Mbps upload will be considered under certain circumstances.
- ISP's must agree to provide service with no data caps or usage-based throttling for the useful lifespan of the federally funded portion of the network.
- Broadband service prices must be reasonably affordable for the subscribers within the proposed service area. Applicants can refer to their State approved Vol II BEAD proposals to assess and determine affordability (see "BEAD plans and related resources" under "Additional Resources".)
- Broadband infrastructure should ensure universal access:
 - Make service available to all users within the grant footprint.

Other Considerations:

- **No Duplication of Federal Funding:** No federal funds may be used to duplicate costs, services, connections, facilities, or equipment that have been authorized through another federal program. The agency reserves the right to disallow any expenses that it determines constitute duplication of federal funds or service and/or to

- direct the Grantee to reallocate the funds to allowable activities within the project or for another project.
- **Non-duplication/enforceable commitment:** In determining where to make an award, an agency may not treat as “unserved” or “underserved” any location that is already subject to an enforceable federal, state, or local commitment to deploy qualifying broadband. An enforceable commitment for the deployment of qualifying broadband to a location exists when the commitment to deploy qualifying broadband service to that location was made as a condition of any grant, loan, or loan guarantee provided by, or funded in whole or in part by, the federal government or a State or Territorial government for the provision of broadband service.
 - In accordance with federal procurement rules, all broadband-related services must be competitively bid.
 - In accordance with federal procurement rules, the grantee must retain an ownership interest in all grant-funded equipment or infrastructure, which can be a lien including indefeasible rights of use (IRU), etc.
 - Contractors that are hired to perform a Professional Engineering Report are prohibited from bidding on the project’s construction.
 - ARC broadband applicants must coordinate with their respective State Broadband Office to ensure projects are aligned with state broadband strategies and only include homes and businesses that the state certifies are currently underserved.

Basic Agency Requirements (For Construction Projects Only)

ARC does not administer any construction projects, including those involving broadband. ARC operates in partnership with federal and state agencies under an MOU to manage federal construction grants throughout the region.

It is the applicant’s responsibility to secure a letter from the appropriate federal or state agency, known as a basic agency letter, indicating their willingness to administer ARC funds for any proposed infrastructure project. A list of eligible basic agencies can be found at <https://www.arc.gov/basic-agency-partners/>.

Grantees are encouraged to reach out directly to their basic agency to ensure the proposed implementation scope and schedule is acceptable to the basic agency prior to submitting the construction grant application.

Additional Resources

ARC Resources

- ARC Broadband Reporting Templates <https://www.arc.gov/resource/broadband-applicant-reporting-templates/>
- ARC’s Broadband Bootcamp Video Series https://www.youtube.com/watch?v=HOcO-IRkiXi&list=PLRO_a3uhWX_tkvQWesFA6R4pniPiiVWEq&pp=gAOB

NTIA Resources

- NTIA Technical Resource Hub <https://broadbandusa.ntia.doc.gov/technical-assistance-hub>
- [Public Notice Posting of State and Territory BEAD and Digital Equity Plan, Initial Proposals, Challenge Process Portals, and Subgrantee Selection Portals](https://broadbandusa.ntia.doc.gov/public-resources-related-bead-plans-and-milestones) <https://broadbandusa.ntia.doc.gov/public-resources-related-bead-plans-and-milestones>
- Bipartisan Infrastructure Law broadband program overview <https://www.internetforall.gov/>
- BEAD Plans and Resources <https://broadbandusa.ntia.doc.gov/public-resources-related-bead-plans-and-milestones>

FCC Resources

- Federal Communications Commission (FCC), Broadband Data <https://www.fcc.gov/BroadbandData>
- FCC Broadband Funding Map, <https://fundingmap.fcc.gov/home>
- FCC Reports & Research Maps, <https://www.fcc.gov/reports-research/maps/>
- FCC National Broadband Map, <https://broadbandmap.fcc.gov/home>
- How Government Entities Can Access the Fabric <https://help.bdc.fcc.gov/hc/en-us/articles/6785010654235-How-Government-Entities-Can-Access-the-Production-Location-Fabric->

CFR Resources

- 2 CFR Part 200 Subpart D - Procurement Standards <https://www.ecfr.gov/current/title-2/part-200/subject-group-ECFR45ddd4419ad436d>