

From: /O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=E1B65E53BD4B4E65B15DBF19FA0CDD50-KELLY, ALEX

Sent: Thursday, March 24, 2022 8:47 AM

To: Ivey, Meredith [Meredith.Ivey@deo.myflorida.com]; Coyle, Frances [Frances.Coyle@LASPBS.STATE.FL.US]; Weller, Molly [Molly.Weller@LASPBS.STATE.FL.US]; Pollins, Stu [Stu.Pollins@LASPBS.STATE.FL.US]

CC: Eagle, Dane [Dane.Eagle@deo.myflorida.com]; Callaway, Adam [Adam.Callaway@deo.myflorida.com]; DiNapoli, Michael [Michael.DiNapoli@deo.myflorida.com]; Moriak, Allyce [Allyce.Moriak@deo.myflorida.com]

Subject: RE: for review - HAF contract with new Prime vendor

Attachments: Prime Vendor Workplan3.23.2022.docx; HAF Prime VendorC3341_1 03222022.pdf

I'm good.

J. Alex Kelly
Deputy Chief of Staff
Executive Office of the Governor
(850) 443-8626
alex.kelly@eog.myflorida.com

From: Ivey, Meredith <Meredith.Ivey@deo.myflorida.com>

Sent: Thursday, March 24, 2022 8:45 AM

To: Kelly, Alex <Alex.Kelly@eog.myflorida.com>; Coyle, Frances <Frances.Coyle@LASPBS.STATE.FL.US>; Weller, Molly <Molly.Weller@LASPBS.STATE.FL.US>; Pollins, Stu <Stu.Pollins@LASPBS.STATE.FL.US>

Cc: Eagle, Dane <Dane.Eagle@deo.myflorida.com>; Callaway, Adam <Adam.Callaway@deo.myflorida.com>; DiNapoli, Michael <Michael.DiNapoli@deo.myflorida.com>; Moriak, Allyce <Allyce.Moriak@deo.myflorida.com>

Subject: for review - HAF contract with new Prime vendor

Good morning Alex, Frances, Stu, and Molly,

Attached for your review and approval is DEO's proposed contract with the newly-selected Prime Vendor for the Homeowner Assistance Fund (HAF). The supplemental attachment is an outline of the work plan reflected within the contract and the projected cost for each deliverable.

As you know, DEO has handled the Pilot Program; collaboration agreements with utility companies, U.S. Bank, and Citizens; and the recent kick-off of the pre-registration process, webpage, and portal, utilizing agency resources and staff. We are excited to build on these efforts upon execution of this new agreement.

We are happy to answer any questions you might have.

Thank you,
Meredith Ivey

Chief of Staff

Florida Department of Economic Opportunity

Office: 850-245-7153

Email: Meredith.lvey@deo.myflorida.com

www.FloridaJobs.org



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Homeowner Assistance Fund Prime Vendor Contract Workplan



Contract Amt.	\$ 74,548,290
Effective Date	March 25, 2022 Contract Execution
Subcontractors	<ul style="list-style-type: none"> • Horne • Indelible Solutions • Faneuil
Deliverables & Costs	<ol style="list-style-type: none"> 1. Comprehensive Outreach Plan (COP) - \$752,270 2. Execution of COP - \$11,718,520 3. Intake and Call Center Standup - \$15,226,080 4. Intake and Case Management Processing - \$41,050,000 5. Payment Disbursement - \$5,801,420
Workplan & Timeline	<ol style="list-style-type: none"> 1. <u>Comprehensive Outreach Plan Development(COP)</u> Start Work: March 25, 2022 Complete Work: no later than April 28, 2022 <i>(contract SOW 45 days following execution) (subject to DEO feedback and revisions)</i> 2. <u>Execution of Comprehensive Outreach Plan (COP)</u> Start Work: upon approval of COP by DEO Complete Work: until funds are encumbered or disbursed 3. <u>Intake and Call Center Standup</u> Start Work: Immediately- Upon approval of COP by DEO <i>(the standup process and timelines will be detailed in the final COP)</i> Complete Work: until funds are encumbered or disbursed <ol style="list-style-type: none"> 3.a. <u>HAF Program Materials to include Operating Manual</u> Start Work: March 14, 2022 with Operating Manual currently in process Complete Work: no later than April 28, 2022 <i>(contract SOW 45 days following execution) (subject to DEO feedback and revisions)</i> 4. <u>Intake and Case Management Processing</u> Daily Minimum Requirements: approximately June 26, 2022 <i>(45 days following last day to submit COP) (subject to the approval of COP and HAF Materials and subject to DEO feedback and revisions)</i> Intake and Case Management will begin immediately following contract execution as we transition HAF Pilot into HAF Retail, as well as providing training for Prime Vendor to meet the daily minimums required by June 12. Complete Work: until funds are encumbered or disbursed 5. <u>Payment Disbursement</u> HAF Payments: Immediately. Per contract no later than June 26, 2022 <i>(45 days following DEO acceptance of COP) (subject to the approval of COP and HAF Materials and subject to DEO feedback and revisions)</i> Complete Work: until funds are encumbered or disbursed There is an expectation that payment disbursement will continue as we transition the HAF Pilot to HAF Retail.

**CONTRACT
STATE OF FLORIDA
DEPARTMENT OF ECONOMIC OPPORTUNITY**

THIS CONTRACT (“Contract”) is made and entered into by and between the State of Florida, Department of Economic Opportunity (“DEO”), and THE NORTH HIGHLAND COMPANY LLC (“Contractor”). DEO and Contractor are sometimes referred to herein individually as a “Party” and collectively as “the Parties.”

I. CONTRACTOR AGREES:

A. Attachment 1, Scope of Work:

Contractor agrees to provide the goods and/or services in accordance with the conditions and criteria specified herein, and in Attachment 1, Scope of Work.

B. Type of Contract:

This Contract is a Fixed Rate and Cost Reimbursement Contract.

C. Contract Dates:

This Contract shall become effective on the date last signed by the Parties and shall remain in effect through January 31, 2025, unless extended or terminated as provided for herein. DEO shall not be obligated to pay for costs incurred related to this Contract prior to its beginning date or after its ending date.

D. Contract Payment:

This Contract shall not exceed seventy-four million, five hundred forty-eight thousand, two hundred ninety dollars and zero cents **\$74,548,290** which shall be paid by DEO in consideration for Contractor’s provision of goods and/or services as set forth by the terms and conditions of this Contract. The State of Florida and DEO’s performance and obligation to pay under this Contract is contingent upon an annual appropriation by the Legislature and availability of any and all applicable federal funds. DEO shall be the final authority as to the availability of funds for this Contract, and as to what constitutes an “annual appropriation” of funds to complete this Contract. If such funds are not appropriated or available for the Contract purpose, such event will not constitute a default on DEO or the State. DEO agrees to notify Contractor in writing at the earliest possible time if funds are not appropriated or available. The cost for services rendered under any other Contract or to be paid from any other source is not eligible for reimbursement under this Contract.

E. Requirements of paragraphs (a) – (i) of subsection 287.058(1), Florida Statutes (F.S.):

1. Contractor shall submit bills for fees or other compensation for services or expenses in sufficient detail for a proper pre-audit and post-audit thereof.
2. If travel expenses are authorized, Contractor shall submit bills for such travel expenses and shall be reimbursed only in accordance with section 112.061, F.S.

3. Contractor shall allow public access to all documents, papers, letters or other materials made or received by Contractor in conjunction with this Contract, unless the records are exempt from section 24(a) of Article I of the State Constitution and section 119.07(1), F.S. It is expressly understood that DEO may unilaterally cancel this Contract for Contractor's refusal to comply with this provision.
4. Contractor shall perform all tasks contained in Attachment 1, Scope of Work.
5. Receipt by Contractor of DEO's written acceptance of the units of deliverables specified herein is a condition precedent to payment under this Contract and is contingent upon Contractor's compliance with the specified performance measure (i.e., each deliverable must satisfy at least the minimum acceptable level of service specified in the Scope of Work and DEO shall apply the applicable criteria stated in the Scope of Work to determine satisfactory completion of each deliverable).
6. Contractor shall comply with the criteria and final date by which such criteria must be met for completion of this Contract.
7. **Renewal and Extension:** This Contract may not be renewed. Extension of the contract shall be at DEO's sole discretion and in compliance with section 287.057(12), F.S.
8. If Contractor fails to perform in accordance with the Contract, DEO shall apply the financial consequences specified herein.
9. Unless otherwise agreed in writing, intellectual property rights to preexisting property will remain with Contractor; whereas, intellectual property rights to all property created or otherwise developed by Contractor in performance of this Agreement will be owned by the State of Florida through DEO. Proceeds derived from the sale, licensing, marketing, or other authorization related to any such DEO-controlled intellectual property right shall be handled in the manner specified by applicable state statute.

F. Governing Laws:

1. State of Florida Law:

- a. Contractor agrees that this Contract is executed and entered into in the State of Florida, and shall be construed, performed, and enforced in all respects in accordance with the laws, rules, and regulations of the State of Florida. Each Party shall perform its obligations herein in accordance with the terms and conditions of the Contract. Without limiting the provisions of Section II.D., Dispute Resolution, the exclusive venue of any legal or equitable action that arises out of or relates to the Contract shall be the appropriate state court in Leon County, Florida; in any such action, the Parties waive any right to jury trial. For avoidance of doubt, should any term of this Contract conflict with any applicable law, rule, or regulation, the law, rule, or regulation shall control over the provisions of this Contract.

- b. If applicable, Contractor agrees that it is in compliance with the rules for e-procurement as directed by Rule 60A-1.033, F.A.C. and that it will maintain eligibility for this Contract through the MyFloridaMarketplace.com system.
- c. DEO shall ensure compliance with section 11.062, F.S., and section 216.347, F.S. Contractor shall not, in connection with this or any other agreement with the State, directly or indirectly: (1) offer, confer, or agree to confer any pecuniary benefit on anyone as consideration for any State officer or employee's decision, opinion, recommendation, vote, other exercise of discretion, or violation of a known legal duty; or (2) offer, give, or agree to give to anyone any gratuity for the benefit of, or at the direction or request of, any State officer or employee. For purposes of clause (2), "gratuity" means any payment of more than nominal monetary value in the form of cash, travel, entertainment, gifts, meals, lodging, loans, subscriptions, advances, deposits of money, services, employment, or contracts of any kind. Upon request of DEO's Inspector General, or other authorized State official, Contractor shall provide any type of information the Inspector General deems relevant to Contractor's integrity or responsibility. Such information may include, but shall not be limited to, Contractor's business or financial records, documents, or files of any type or form that refer to or relate to this Contract. Contractor shall retain such records for the longer of: (1) five years after the expiration of the Contract; or (2) the period required by the General Records Schedules maintained by the Florida Department of State available at:
http://dhis.dos.state.fl.us/recordsmgmt/gen_records_schedules.cfm.
- d. Contractor agrees to reimburse the State for the reasonable costs of investigation incurred by the Inspector General or other authorized State official for investigations of Contractor's compliance with the terms of this or any other agreement between Contractor and the State which results in the suspension or debarment of Contractor. Such costs shall include, but shall not be limited to: salaries of investigators, including overtime; travel and lodging expenses; and expert witness and documentary fees. Contractor shall not be responsible for any costs of investigations that do not result in Contractor's suspension or debarment. Contractor understands and will comply with the requirements of subsection 20.055(5), F.S., including but not necessarily limited to, the duty of Contractor and any of Contractor's subcontractors to cooperate with the inspector general in any investigation, audit, inspection, review, or hearing pursuant to section 20.055, F.S.
- e. **Public Entity Crime:** Pursuant to subsection 287.133(2)(a), F.S., a person or affiliate who has been placed on the convicted vendor list following a conviction for a public entity crime may not submit a bid, proposal, or reply on a contract to provide any goods or services to a public entity; may not submit a bid, proposal, or reply on a contract with a public entity for the construction or repair of a public building or public work; may not submit bids, proposals, or replies on leases of real property to a public entity; may not be awarded or perform work as a contractor, supplier, subcontractor or consultant under a contract with any public entity and may not transact business with any public entity in excess of the threshold amount provided in section 287.017, F.S., for **Category Two** for a period of thirty-six (36) months from the date of being placed on the convicted vendor list. Furthermore, Contractor will complete and provide the certification in Attachment 2.

- f. Advertising:** Subject to chapter 119, F.S., Contractor shall not publicly disseminate any information concerning the Contract without prior written approval from DEO, including, but not limited to mentioning the Contract in a press release or other promotional material, identifying DEO or the State as a reference, or otherwise linking Contractor's name and either a description of the Contract or the name of DEO or the State in any material published, either in print or electronically, to any entity that is not a Party to the Contract, except potential or actual authorized distributors, dealers, resellers, or service representatives.
- g. Sponsorship:** As required by section 286.25, F.S., if Contractor is a nongovernmental organization which sponsors a program financed wholly or in part by state funds, including any funds obtained through this Contract, it shall, in publicizing, advertising, or describing the sponsorship of the program, state: "Sponsored by (Contractor's name) and the State of Florida, Department of Economic Opportunity." If the sponsorship reference is in written material, the words "State of Florida, Department of Economic Opportunity" shall appear in the same size letters or type as the name of the organization.
- h. Mandatory Disclosure Requirements:**
- (1) Conflict of Interest:** This Contract is subject to chapter 112, F.S. Contractors shall disclose the name of any officer, director, employee, or other agent who is also an employee of the State. Contractors shall also disclose the name of any State employee who owns, directly or indirectly, more than a five percent (5%) interest in Contractor or its affiliates.
- (2) Convicted Vendors:** Contractor shall disclose to DEO if it, or any of its affiliates, as defined in section 287.133(1)(a) of the Florida Statutes, is on the convicted vendor list. A person or affiliate placed on the convicted vendor list following a conviction for a public entity crime is prohibited from doing any of the activities listed in Section I.F.1.e. above for a period of thirty-six (36) months from the date of being placed on the convicted vendor list.
- (3) Vendors on Scrutinized Companies Lists:** In executing this Contract, Contractor certifies that it is not listed on the Scrutinized Companies that Boycott Israel List created pursuant to section 215.4725, F.S., or is engaged in a boycott of Israel, that it is not listed on either the Scrutinized Companies with Activities in Sudan List or the Scrutinized Companies with Activities in the Iran Petroleum Energy Sector List, created pursuant to section 215.473, F.S., engaged in business operations in Cuba or Syria, or engaged in business operations with the government of Venezuela.
- (a) Pursuant to section 287.135(5), F.S., DEO may immediately terminate this Contract for cause if Contractor is found to have submitted a false certification or if Contractor is placed on the Scrutinized Companies that Boycott Israel List, or is engaged in boycott of Israel or placed on the Scrutinized Companies with Activities in Sudan List, the Scrutinized Companies with Activities in the Iran Petroleum Energy Sector List, has been engaged in business operations in Cuba Syria, or Venezuela, during the term of the Contract.

(b) If DEO determines that Contractor has submitted a false certification, DEO will provide written notice to Contractor. Unless Contractor demonstrates in writing, within ninety (90) days of receipt of the notice, that DEO's determination of false certification was made in error, DEO shall bring a civil action against Contractor. If DEO's determination is upheld, a civil penalty equal to the greater of \$2 million or twice the amount of this Contract shall be imposed on Contractor, and Contractor will be ineligible to bid on any contract with an agency or local governmental entity for three (3) years after the date of DEO's determination of false certification by Contractor.

(c) In the event that federal law ceases to authorize the states to adopt and enforce the contracting prohibition identified herein, this provision shall be null and void.

(4) Discriminatory Vendors: Contractor shall disclose to DEO if it or any of its affiliates, as defined by section 287.134(1)(a.), F.S., appears on the discriminatory vendor list. An entity or affiliate placed on the discriminatory vendor list pursuant to section 287.134, F.S. may not:

(a) submit a bid, proposal, or reply on a contract or agreement to provide any goods or services to a public entity;

(b) submit a bid, proposal, or reply on a contract or agreement with a public entity for the construction or repair of a public building or public work;

(c) submit bids, proposals, or replies on leases of real property to a public entity;

(d) be awarded or perform work as a contractor, supplier, sub-contractor, or consultant under a contract or agreement with any public entity; or

(e) transact business with any public entity.

i. Abuse, Neglect, and Exploitation Incident Reporting:

In compliance with sections 39.201 and 415.1034, F.S., an employee of Contractor who knows or has reasonable cause to suspect that a child, aged person, or disabled adult is or has been abused, neglected, or exploited shall immediately report such knowledge or suspicion to the Florida Abuse Hotline by calling 1-800-96ABUSE, or via the web reporting option at <http://www.dcf.state.fl.us/abuse/report/>, or via fax at 1-800-914-0004.

j. Information Release

(1) Contractor shall keep and maintain public records required by DEO to perform Contractor's responsibilities hereunder. Contractor shall, upon request from DEO's custodian of public records, provide DEO with a copy of the requested records or allow the records to be inspected or copied within a reasonable time per the cost structure provided in chapter 119, F.S., and in accordance with all other requirements of chapter 119, F.S., or as otherwise provided by law. Upon expiration or termination of this Contract, Contractor shall transfer, at no cost, to DEO all public records in

possession of Contractor or keep and maintain public records required by DEO to perform the service. If the Contractor keeps and maintains public records upon completion of the Contract, the Contractor shall meet all applicable requirements for retaining public records. All records stored electronically must be provided to DEO, upon request from the DEO's custodian of records, in a format that is compatible with the information technology systems of DEO.

- (2)** If DEO does not possess a record requested through a public records request, DEO shall notify the Contractor of the request as soon as practicable, and Contractor must provide the records to DEO or allow the records to be inspected or copied within a reasonable time. If Contractor does not comply with DEO's request for records, DEO shall enforce the provisions set forth in this Contract. A Contractor who fails to provide public records to DEO within a reasonable time may be subject to penalties under section 119.10, F.S.
- (3)** DEO does not endorse any contractor, commodity or service. No public disclosure or news release pertaining to this Contract shall be made without the prior written approval of DEO. Contractor is prohibited from using contract information, sales values/volumes and/or DEO customers in sales brochures or other promotions, including press releases, unless prior written approval is obtained from DEO.
- (4)** Contractor acknowledges that DEO is subject to the provisions of chapter 119, F.S., relating to public records and that reports, invoices, and other documents Contractor submits to DEO under this Contract may constitute public records under Florida Statutes. Contractor shall cooperate with DEO regarding DEO's efforts to comply with the requirements of chapter 119, F.S.
- (5)** If Contractor submits records to DEO that are confidential and exempt from public disclosure as trade secrets or proprietary confidential business information, such records should be identified as such by Contractor prior to submittal to DEO. Failure to identify the legal basis for confidentiality/exemption from the requirements of chapter 119, F.S., prior to submittal of the record to DEO serves as Contractor's waiver of a claim of confidentiality/exemption. Contractor shall ensure that public records that are exempt or confidential and exempt from public records disclosure requirements are not disclosed except as authorized by law for the duration of the Contract term and following completion of the Contract if the Contractor does not transfer the records to DEO upon termination of the Contract.
- (6)** Contractor shall allow public access to all records made or received by Contractor in conjunction with this Contract, unless the records are exempt from section 24(a) of Article I of the State Constitution and section 119.07(1), F.S. For records made or received by Contractor in conjunction with this Contract, Contractor shall respond to requests to inspect or copy such records in accordance with chapter 119, F.S.
- (7)** In addition to Contractor's responsibility to directly respond to each request it receives for records made or received by Contractor in conjunction with this Contract and to provide the applicable public records in response to such request, Contractor shall notify DEO of the receipt and content of such request by sending an e-mail to

PRRequest@deo.myflorida.com within one (1) business day from receipt of such request.

(8) Contractor shall notify DEO verbally within twenty-four (24) chronological hours and in writing within seventy-two (72) chronological hours if any data in Contractor's possession related to this Contract is subpoenaed or improperly used, copied, or removed (except in the ordinary course of business) by anyone except an authorized representative of DEO. Contractor shall cooperate with DEO in taking all steps as DEO deems advisable to prevent misuse, regain possession, and/or otherwise protect the State's rights and the data subject's privacy.

(9) IF THE CONTRACTOR HAS QUESTIONS REGARDING THE APPLICATION OF CHAPTER 119, FLORIDA STATUTES, TO THE CONTRACTOR'S DUTY TO PROVIDE PUBLIC RECORDS RELATING TO THIS CONTRACT, CONTACT THE CUSTODIAN OF PUBLIC RECORDS by telephone at 850-245-7140, via e-mail at PRRequest@deo.myflorida.com, or by mail at Department of Economic Opportunity, Public Records Coordinator, 107 East Madison Street, Caldwell Building, Tallahassee, Florida 32399-4128.

k. **Funding Requirements.** Intentionally Blank.

2. Federal Law and Regulations:

- a. Contractor shall ensure that all its activities under this Contract shall be conducted in conformance with these provisions, as applicable: 45 C.F.R. Part 75, 29 C.F.R. Part 95, 2 CFR Part 200, 20 CFR Part 601, *et seq.*, and all other applicable federal regulations.
- b. Contractor shall comply with all applicable federal laws, including but not limited to:
 - (1) The Temporary Assistance for Needy Families Program ("TANF"), 45 CFR Parts 260-265, the Social Services Block Grant ("SSBG"), 42 U.S.C. 1397d, and other applicable federal regulations and policies promulgated thereunder.
 - (2) Title VI of the Civil Rights Act of 1964, as amended, 42 U.S.C. 2000d, *et seq.*, which prohibits discrimination on the basis of race, color or national origin.
 - (3) Section 504 of the Rehabilitation Act of 1973, as amended, 29 U.S.C. 794, which prohibits discrimination on the basis of disability.
 - (4) Title IX of the Education Amendments of 1972, as amended, 20 U.S.C. 1681, *et seq.*, which prohibits discrimination on the basis of sex in educational programs.
 - (5) The Age Discrimination Act of 1975, as amended, 42 U.S.C. 6101, *et seq.*, which prohibits discrimination on the basis of age.
 - (6) Section 654 of the Omnibus Budget Reconciliation Act of 1981, as amended, 42 U.S.C. 9849, which prohibits discrimination on the basis of race, creed, color, national origin, sex, handicap, political affiliation or beliefs.

- (7)** The American with Disabilities Act of 1990, Public Law 101-336, which prohibits discrimination on the basis of disability and requires reasonable accommodation for persons with disabilities.
- (8)** The Pro-Children Act: Contractor agrees to comply with the Pro-Children Act of 1994, 20 U.S.C. 6083. Failure to comply with the provisions of the law may result in the imposition of civil monetary penalty up to \$1,000 for each violation and/or the imposition of an administrative compliance order on the responsible entity. This clause is applicable to all approved sub-contracts. In compliance with Public Law (Pub. L.) 103-277, the Contract shall not permit smoking in any portion of any indoor facility used for the provision of federally funded services including health, day care, early childhood development, education or library services on a routine or regular basis, to children up to age 18.
- (9)** The Davis-Bacon Act, as amended, 40 U.S.C. 276a to 276a-7, and as supplemented by the Department of Labor (DOL) regulations 29 CFR Part 5, the Copeland Anti-Kickback Act, 40 U.S.C. 276c and 18 U.S.C. 874, as supplemented by the DOL regulations 29 CFR Part 3, and the Contract Work Hours and Safety Standards Act, 40 U.S.C. 327-333, as supplemented by the DOL regulations 29 CFR Part 5, regarding labor standards for federally assisted construction subagreements.
- (10)** The Clean Air and Water Act: If this Contract is in excess of \$100,000, Contractor shall comply with all applicable standards, orders or regulations issued under the Clean Air Act, as amended, 42 U.S.C. 7401, Section 508 of the Clean Water Act, as amended, 33 U.S.C. 1368, *et seq.*, Executive Order 11738 and Environmental Protection Agency regulations. Contractor shall report any violation of the above to DEO.
- (11)** Energy Efficiency: Contractor shall comply with mandatory standards and policies relating to energy efficiency which are contained in the State of Florida's energy conservation plan issued in compliance with the Energy Policy and Conservation Act, Pub. L. 94-163.
- (12)** The Byrd Anti-Lobbying Amendment (31 U.S.C. 1352: Contractors who apply or bid for an award of \$100,000 or more shall file the required certification (see Certification Regarding Lobbying Form within Attachment 2 of this Contract). Each tier certifies to the tier above that it will not and has not used Federal appropriated funds to pay any person or organization for influencing or attempting to influence an officer or employee of any agency, a member of Congress, officer or employee of Congress, or an employee of a member of Congress in connection with obtaining any federal contract, grant or any other award covered by 31 U.S.C. 1352. Each tier shall also disclose any lobbying with non-federal funds that takes place in connection with obtaining any federal award. Such disclosures are forwarded from tier to tier up to the recipient.
- (13)** Debarment and Suspension: When applicable, as required by the regulation implementing Executive Order (EO) No. 12549 and EO No. 12689, Debarment and Suspension, 2 CFR Part 2998, Contractor must not be, nor within the three-year

period preceding the effective date of the Contract have been, debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any federal department or agency. No contract shall be awarded to parties listed on the U. S. Government Services Administration List of Parties Excluded from Federal Procurement or Non-Procurement Programs. Contractor must provide a completed Certification Regarding Debarment, Suspension, and Other Responsibility Matters, included in Attachment 2 of this Contract.

- (14)** Public Announcements and Advertising: When issuing statements, press releases, requests for proposals, bid solicitations and other documents describing projects or programs funded in whole or in part with federal money, Contractor shall clearly state (1) the percentage of the total costs of the program or project which will be financed with federal money, (2) the dollar amount of federal funds for the project or program, and (3) percentage and dollar amount of the total costs of the project or program that will be financed by nongovernmental sources.
- (15)** Purchase of American-Made Equipment and Products: Contractor assures that, to the greatest extent practicable, all equipment and products purchased with funds made available under this Agreement will be American-made.
- (16)** Equal Treatment for Faith-Based Organizations. Prohibits any State or local government receiving funds under any Department program, or any intermediate organization with the same duties as a governmental entity, from discriminating for or against an organization on the basis of the organization's religious character or affiliation. Prohibits religious organizations from engaging in inherently religious activities, such as worship, religious instruction, or proselytization, as part of the programs or services funded with direct financial assistance. Prohibits an organization that participates in programs funded by direct financial assistance from the Department, in providing services, from discriminating against a program beneficiary or prospective program beneficiary on the basis of religion or religious belief. Any restrictions on the use of grant funds shall apply equally to religious and non-religious organizations.
- (17)** Rights to Inventions Made Under Contract or Agreement: Contracts or agreements for the performance of experimental, development, or research work shall provide for the rights of the Federal Government and Contractor in any resulting invention in accordance with 37 CFR Part 401, "Rights to Inventions Made by Nonprofit Organizations and Small Business Firms Under Government Grants, Contract and Cooperative Agreements," and any implementing regulations issued by the awarding agency.
- (18)** The Consolidated Appropriations Act, 2010, Division E, Section 511 (Pub. L. 111-117), which prohibits distribution of federal funds made available under the Act to the Association of Community Organizations for Reform Now (ACORN) or its subsidiaries. The Continuing Appropriations Act, 2011, Sections 101 and 103 (Pub. L. 111-242), provides that appropriations made under Pub. L. 111-117 are available under the conditions provided by Pub. L. 111-117.

- (19)** E.O. 11246, “Equal Employment Opportunity,” as amended by E.O. 11375, “Amending Executive Order 11246 Relating to Equal Employment Opportunity,” and as supplemented by regulations at 41 CFR Part 60, “Office of Federal Contract Compliance Programs, Equal Employment Opportunity, Department of Labor.
- (20)** Contract Work Hours and Safety Standards Act (40 U.S.C. §327–333) — If this Contract involves federal funding in excess of \$2,000 for construction contracts or in excess of \$2,500 for other contracts that involve the employment of mechanics or laborers, compliance with sections 102 and 107 of the Contract Work Hours and Safety Standards Act (40 U.S.C. 327–333), as supplemented by Department of Labor regulations (29 CFR Part 5) is required. Under section 102 of the Act, each contractor shall be required to compute the wages of every mechanic and laborer on the basis of a standard work week of 40 hours. Work in excess of the standard work week is permissible provided that the worker is compensated at a rate of not less than 1 ½ times the basic rate of pay for all hours worked in excess of 40 hours in the work week. Section 107 of the Act is applicable to construction work and provides that no laborer or mechanic shall be required to work in surroundings or under working conditions which are unsanitary, hazardous or dangerous. These requirements do not apply to the purchases of supplies or materials or articles ordinarily available on the open market, or contracts for transportation or transmission of intelligence.
- (21)** Resource Conservation and Recovery Act (RCRA). Under RCRA (Pub. L. 94–580 codified at 42 U.S.C. 6962), state and local institutions of higher education, hospitals, and non-profit organizations that receive direct Federal awards or other Federal funds shall give preference in their procurement programs funded with Federal funds to the purchase of recycled products pursuant to the EPA guidelines.
- (22)** Immigration Reform and Control Act. Contractor shall comply with the requirements of the Immigration Reform and Control Act of 1986, which requires employment verification and retention of verification forms for any individuals hired who will perform any services under the contract.

G. Contractor Payments:

- 1.** Contractor will provide DEO’s Contract Manager invoices in accordance with the requirements of the State of Florida Guide for State Expenditures (http://www.myfloridacfo.com/aadir/reference_guide/) with detail sufficient for a proper pre-audit and post-audit thereof. Invoices must also comply with the following:

 - a.** Invoices must be legible and must clearly reflect the goods/services that were provided in accordance with the terms of the Contract for the invoice period. Payment does not become due under the Contract until the invoiced deliverable(s) and any required report(s) are approved and accepted by DEO.
 - b.** Invoices must contain Contractor’s name, address, federal employer identification number or other applicable Contractor identification number, the Contract number, the invoice number, and the invoice period. DEO or the State may require any additional

information from Contractor that DEO or the State deems necessary to process an invoice.

- c. Invoices must be submitted in accordance with the time requirements specified in the Scope of Work.
2. At DEO's or the State's option, Contractor may be required to invoice electronically pursuant to guidelines of the Department of Management Services. Current guidelines require that Contractor supply electronic invoices in lieu of paper-based invoices for those transactions processed through the system. Electronic invoices shall be submitted to the DEO Contract Manager through the Subrecipient Enterprise Resource Application (SERA) in one of the following mechanisms – EDI 810, cXML, or web-based invoice entry within the SERA.
3. Payment shall be made in accordance with section 215.422, F.S., Rule 69I-24, F.A.C., and section 287.0585, F.S., which govern time limits for payment of invoices. Section 215.422, F.S., provides that agencies have five (5) working days to inspect and approve goods and services unless the solicitation documents or the Contract Scope of Work specify otherwise. DEO has twenty (20) days to deliver a request for payment (voucher) to the Department of Financial Services. The twenty (20) days are measured from the latter of the date the invoice is received or the goods or services are received, inspected and approved. The Scope of Work may specify conditions for retainage. Invoices returned to a Contractor due to preparation errors will result in a delay of payment. Invoice payment requirements do not start until a properly completed invoice is provided to DEO. DEO is responsible for all payments under the Contract.
4. Section 55.03(1), F.S., identifies the process applicable to the determination of the rate of interest payable on judgments and decrees, and pursuant to section 215.422(3)(b), F.S., this same process applies to the determination of the rate of interest applicable to late payments to vendors for goods and services purchased by the State and for contracts which do not specify a rate of interest. The applicable rate of interest is published at:

<http://www.myfloridacfo.com/aadir/interest.htm>

H. Final Invoice:

Contractor shall submit the final invoice for payment to DEO no later than **60** days after the Contract ends or is terminated. If Contractor fails to do so, DEO, in its sole discretion, may refuse to honor any requests submitted after this time period and may consider Contractor to have forfeited any and all subsequent rights to payment under this Contract.

I. Return or Recoupment of Funds:

1. Contractor shall return to DEO any overpayments due to unearned funds or funds disallowed pursuant to the terms of this Contract that were disbursed to Contractor by DEO. In the event Contractor or its independent auditor discovers that overpayment has been made, Contractor shall repay said overpayment within forty (40) calendar days without prior notification from DEO. In the event DEO first discovers an overpayment has been made, DEO will notify Contractor by letter. Should repayment not be made in a timely manner, DEO shall be entitled to charge interest at the lawful rate of interest on the outstanding balance beginning forty

(40) calendar days after the date of notification or discovery. Refunds should be sent to DEO Contract Manager, and made payable to the "Department of Economic Opportunity."

2. Notwithstanding the damages limitations of Section II.F. or any provision herein to the contrary, if Contractor's non-compliance with any provision of the Contract results in additional cost or monetary loss to DEO or the State of Florida, DEO can recoup that cost or loss from monies owed to Contractor under this Contract or any other contract between Contractor and any State entity. In the event the discovery of this cost or loss arises when no monies are available under this Contract or any other contract between Contractor and any State entity, Contractor will repay such cost or loss in full to DEO within thirty (30) days of the date of notice of the amount owed, unless DEO agrees, in writing, to an alternative timeframe.

J. Vendor Ombudsman:

A Vendor Ombudsman has been established within the Department of Financial Services. The duties of this individual include acting as an advocate for vendors who may be experiencing problems in obtaining timely payment(s) from a state agency. The Vendor Ombudsman may be contacted at (850) 413-5516 or by calling the Chief Financial Officer's Hotline, (800) 342-2762.

K. Audits and Records:

1. Representatives of DEO, the Chief Financial Officer of the State of Florida, the Auditor General of the State of Florida, the Florida Office of Program Policy Analysis and Government Accountability or representatives of the federal government and their duly authorized representatives shall have access to any of Contractor's books, documents, papers, and records, including electronic storage media, as they may relate to this Contract, for the purposes of conducting audits or examinations or making excerpts or transcriptions.
2. Contractor shall maintain books, records, and documents in accordance with generally accepted accounting procedures and practices which sufficiently and properly reflect all expenditures of funds provided by DEO under this Contract.
3. Contractor will provide a financial and compliance audit to DEO, if applicable, and ensure that all related party transactions are disclosed to the auditor.
4. Contractor shall retain all Contractor records, financial records, supporting documents, statistical records, and any other documents (including electronic storage media) pertinent to this Contract for a period of five (5) state fiscal years after completion or termination of this Contract, or if an audit has been initiated and audit findings have not been resolved at the end of five (5) state fiscal years, the records shall be retained until resolution of the audit findings through litigation or otherwise. Contractor shall cooperate with DEO to facilitate the duplication and transfer of such records or documents upon request of DEO. Additional federal requirements may be identified in Attachment 1, Scope of Work.
5. Contractor shall include the aforementioned audit and record keeping requirements in all approved subcontracts and assignments.

L. Employment Eligibility Verification:

1. Section 448.095, F.S., The State of Florida requires the following:
 - a. Every public employer, contractor, and subcontractor shall register with and use the E-Verify system to verify the work authorization status of all newly hired employees. A public employer, contractor, or subcontractor may not enter into a contract unless each party to the contract registers with and uses the E-Verify system.
 - b. A private employer shall, after making an offer of employment which has been accepted by a person, verify such person's employment eligibility. A private employer is not required to verify the employment eligibility of a continuing employee hired before January 1, 2021. However, if a person is a contract employee retained by a private employer, the private employer must verify the employee's employment eligibility upon the renewal or extension of his or her contract.
2. E-Verify is an Internet-based system that allows an employer, using information reported on an employee's Form I-9, Employment Eligibility Verification, to determine the eligibility of all new employees hired to work in the United States. There is no charge to employers to use E-Verify. The Department of Homeland Security's E-Verify system can be found at:
<https://www.e-verify.gov/>
3. If Contractor does not have an E-Verify, Contractor shall enroll in the E-Verify system prior to hiring any new employee or retaining any contract employee after the effective date of this Contract.

M. Duty of Continuing Disclosure of Legal Proceedings:

1. Prior to execution of this Contract, Contractor must disclose all prior or on-going civil or criminal litigation, investigations, arbitration or administrative proceedings (Proceedings) involving Contractor (and each subcontractor) in a written statement to DEO's Contract Manager. Thereafter, Contractor has a continuing duty to promptly disclose all Proceedings upon occurrence.
2. This duty of disclosure applies to Contractor's or subcontractor's officers and directors when any Proceeding relates to the officer or director's business or financial activities. Details of settlements that are prevented from disclosure by the terms of the settlement may be annotated as such.
3. Contractor shall promptly notify the DEO's Contract Manager of any Proceeding relating to or affecting the Contractor's or subcontractor's business. If the existence of such Proceeding causes the State concern that the Contractor's ability or willingness to perform the Contract is jeopardized, Contractor shall be required to provide the DEO's Contract Manager all reasonable assurances requested by DEO to demonstrate that:
 - a. Contractor will be able to perform the Contract in accordance with its terms and conditions; and,

- b. Contractor and/or its employees, agents or subcontractor(s) have not and will not engage in conduct in performing services for DEO which is similar in nature to the conduct alleged in such Proceeding.

N. Assignments and Subcontracts:

1. Contractor agrees to neither assign the responsibility for this Contract to another party nor subcontract for any of the work contemplated under this Contract, or terminate or amend any such assignment or subcontract, without prior written approval of DEO, given at DEO's sole discretion, and only in accordance with the terms of DEO's approval. Notwithstanding the foregoing, if Contractor seeks DEO's approval for termination or amendment of a subcontract or assignment, based on foreseeable or actual legal or reputational harm clearly attributable to that subcontractor, then DEO's approval shall not be unreasonably withheld. Any sublicense, assignment, or transfer occurring without the prior approval of DEO, shall be null and void.
2. Contractor agrees to be responsible for all work performed and all expenses incurred in fulfilling the obligations of this Contract. If DEO permits Contractor to subcontract all or part of the work contemplated under this Contract, including entering into subcontracts with vendors for services and commodities, it is understood by Contractor that all such subcontract arrangements shall be evidenced by a written document containing all provisions necessary to ensure subcontractor's compliance with applicable state and federal law. Contractor further agrees that DEO shall not be liable to the subcontractor for any expenses or liabilities incurred under the subcontract and Contractor shall be solely liable to the subcontractor for all expenses and liabilities incurred under the subcontract. Contractor, at its expense, will defend DEO against such claims.
3. Contractor agrees that all Contractor employees, subcontractors, or agents performing work under the Contract shall be properly trained technicians who meet or exceed any specified training qualifications. Upon request, Contractor shall furnish a copy of technical certification or other proof of qualification. All employees, subcontractors, or agents performing work under the Contract must comply with all DEO security and administrative requirements identified herein. DEO may conduct, and Contractor shall cooperate in, a security background check or otherwise assess any employee, subcontractor, or agent furnished by Contractor. DEO may refuse access to, or require replacement of, any of Contractor's employees, subcontractors, or agents for cause, including, but not limited to, technical or training qualifications, quality of work, change in security status, or non-compliance with DEO's security or administrative requirements identified herein. Such refusal shall not relieve Contractor of its obligation to perform all work in compliance with the Contract. DEO may reject and bar from any facility for cause any of Contractor's employees, subcontractors, or agents.
4. Contractor agrees that the State of Florida shall at all times be entitled to assign or transfer its rights, duties, or obligations under this Contract to another governmental agency in the State of Florida, upon giving prior written notice to Contractor. In the event the State of Florida approves transfer of Contractor's obligations, Contractor remains responsible for all work performed and all expenses incurred in connection with the Contract. In addition, this

Contract shall bind the successors, assigns, and legal representatives of Contractor and of any legal entity that succeeds to the obligations of the State of Florida.

5. Contractor agrees to make payments to the subcontractor within seven (7) working days after receipt of full or partial payments from DEO in accordance with section 287.0585, F.S., unless otherwise stated in the Contract between Contractor and subcontractor. Contractor's failure to pay its subcontractors within seven (7) working days will result in a penalty charged against Contractor and paid to the subcontractor in the amount of one-half of one (1) percent of the amount due per day from the expiration of the period allowed herein for payment. Such penalty shall be in addition to actual payments owed and shall not exceed fifteen (15) percent of the outstanding balance due.
6. Contractor agrees that DEO may undertake or award supplemental contracts for work related to the Contract. Contractor and its subcontractors shall cooperate with such other contractors and DEO in all such cases.
7. Contractor shall provide a monthly Minority and Service-Disabled Veteran Business Enterprise Report for each invoice period summarizing the participation of certified and non-certified minority and service-disabled veteran subcontractors/material suppliers for that period, and project to date. The report shall include the names, addresses and dollar amount of each certified and non-certified Minority Business Enterprise and Service-Disabled Veteran Enterprise participant and a copy must be forwarded to DEO's Contract Manager. The Office of Supplier Diversity at (850) 487-0915 will assist in furnishing names of qualified minorities. DEO's Minority Coordinator at (850) 245-7260 will assist with questions and answers.
8. DEO shall retain the right to reject any of Contractor's or subcontractor's employees whose qualifications or performance, in DEO's judgment, are insufficient.
9. Prior to execution, at the time of seeking DEO's approval as specified in paragraph 1 of this subsection, Contractor shall deliver to DEO the contemplated subcontract(s) and assignment(s), and the contemplated amendment(s) thereto, governing any subcontractor that would perform any part of the work contemplated under this Contract.

O. Purchasing:

1. **Prison Rehabilitative Industries and Diversified Enterprises, Inc. (PRIDE):** In accordance with section 946.515(6), F.S., if a product or service required for the performance of this Contract is certified by or is available from PRIDE and has been approved in accordance with subsection 946.515(2), F.S., the following statement applies:

It is expressly understood and agreed that any articles which are the subject of, or required to carry out, this contract shall be purchased from the corporation identified under chapter 946, F.S., in the same manner and under the same procedures set forth in subsections 946.515(2) and (4), F.S.; and for purposes of this contract the person, firm or other business entity carrying out the provisions of this contract shall be deemed to be substituted for this agency insofar as dealings with such corporation are concerned.

The above clause is not applicable to subcontractors unless otherwise required by law. Additional information about PRIDE and the products it offers is available at <http://www.pride-enterprises.org>.

2. **Products Available from the Blind or Other Handicapped (RESPECT):** In accordance with subsection 413.036(3), F.S., if a product or service required for the performance of this Contract is on the procurement list established pursuant to subsection 413.035(2), F.S., the following statement applies:

It is expressly understood and agreed that any articles that are the subject of, or required to carry out, this contract shall be purchased from a nonprofit agency for the blind or for the severely handicapped that is qualified pursuant to chapter 413, F.S., in the same manner and under the same procedures set forth in subsections 413.036(1) and (2), F.S.; and for purposes of this contract, the person, firm or other business entity carrying out the provisions of this contract shall be deemed to be substituted for the state agency insofar as dealings with such qualified nonprofit agency are concerned.

Additional information about the designated nonprofit agency and the products it offers is available at <http://www.respectofflorida.org>.

3. Contractor agrees to procure any recycled products or materials which are the subject of or are required to carry out this Contract in accordance with section 403.7065, F.S.

P. MyFloridaMarketPlace Transaction Fee:

1. The State of Florida has instituted MyFloridaMarketPlace, a statewide eProcurement System (System). Pursuant to subsection 287.057(22), F.S., all payments shall be assessed a Transaction Fee of one percent (1.0%), which Contractor shall pay to the State, unless exempt pursuant to Rule 60A-1.031, F.A.C.
2. For payments within the State accounting system (FLAIR or its successor), the Transaction Fee shall, when possible, be automatically deducted from payments to Contractor. If automatic deduction is not possible, Contractor shall pay the Transaction Fee pursuant to Rule 60A-1.031, F.A.C. By submission of these reports and corresponding payments, Contractor certifies their correctness. All such reports and payments shall be subject to audit by the State or its designee.
3. Contractor shall receive a credit for any Transaction Fee paid by Contractor for the purchase of any item(s) if such item(s) are returned to Contractor through no fault, act, or omission of Contractor. Notwithstanding the foregoing, a Transaction Fee is non-refundable when an item is rejected or returned, or declined, due to Contractor's failure to perform or comply with specifications or requirements of the Contract.
4. Failure to comply with these requirements shall constitute grounds for declaring Contractor in default and recovering procurement costs from Contractor in addition to all outstanding fees. **CONTRACTORS DELINQUENT IN PAYING TRANSACTION FEES SHALL BE EXCLUDED FROM CONDUCTING FUTURE BUSINESS WITH THE STATE.**

Q. Nonexpendable Property:

1. For the requirements of this Section of the Contract, "nonexpendable property" is the same as "property" as defined in section 273.02, F.S. (equipment, fixtures, and other tangible personal property of a non-consumable and nonexpendable nature, with a value or cost of \$1,000 or more, and a normal expected life of one year or more; hardback-covered bound books that are circulated to students or the general public, with a value or cost of \$25 or more; and hardback-covered bound books, with a value or cost of \$250 or more).
2. All nonexpendable property, purchased under this Contract, shall be listed on the property records of Contractor. Contractor shall inventory annually and maintain accounting records for all nonexpendable property purchased and submit an inventory report to DEO with the final expenditure report. The records shall include, at a minimum, the following information: property tag identification number, description of the item(s), physical location, name, make or manufacturer, year, and/or model, manufacturer's serial number(s), date of acquisition, and the current condition of the item.
3. At no time shall Contractor dispose of nonexpendable property purchased under this Contract for these services without the written permission of and in accordance with instructions from DEO.
4. Immediately upon discovery, Contractor shall notify DEO, in writing, of any property loss with the date and reason(s) for the loss.
5. Contractor shall be responsible for the correct use of all nonexpendable property furnished under this Contract.
6. A formal Contract amendment is required prior to the purchase of any item of nonexpendable property not specifically listed in the approved Contract budget.
7. Title (ownership) to all nonexpendable property acquired with funds from this Contract shall be vested in DEO and said property shall be transferred to DEO upon completion or termination of the Contract unless otherwise authorized in writing by DEO.

R. Information Resource Acquisition:

Contractor shall obtain prior written approval from the appropriate DEO approving authority before purchasing any Information Technology Resource (ITR) or conducting any activity that will impact DEO's electronic information technology equipment or software, as both terms are defined in DEO Policy Number 5.01, in any way. ITR includes computer hardware, software, networks, devices, connections, applications, and data.

S. Insurance:

During the Contract, including the initial Contract term, renewal(s), and extensions, Contractor, at its sole expense, shall maintain insurance coverage of such types and with such terms and limits as may be reasonably associated with the Contract. Providing and maintaining adequate insurance coverage is a material obligation of Contractor, and failure to maintain such coverage may void the Contract. The limits of coverage under each policy maintained by Contractor shall

not be interpreted as limiting Contractor's liability and obligations under the Contract. All insurance policies shall be through insurers licensed and authorized to write policies in Florida.

Upon execution of this Contract, Contractor shall provide DEO written verification of the existence and amount for each type of applicable insurance coverage. Within thirty (30) days of the effective date of the Contract, Contractor shall furnish DEO proof of applicable insurance coverage by standard ACORD form certificates of insurance. In the event any applicable coverage is cancelled by the insurer for any reason, Contractor shall immediately notify DEO of such cancellation and shall obtain adequate replacement coverage conforming to the requirements herein and provide proof of such replacement coverage within fifteen (15) business days after the cancellation of coverage. Contractor shall request an insurance certificate from its insurer including DEO as an additional insured and identify DEO's Contract Number. Copies of new insurance certificates must be provided to DEO's Contract Manager with each insurance renewal.

DEO shall be exempt from, and in no way liable for, any sums of money representing a deductible in any insurance policy. The payment of such deductible shall be the sole responsibility of Contractor providing such insurance. The following types of insurance are required.

1. Contractor's Commercial General Liability Insurance:

By execution of this Contract, unless Contractor is a state agency or subdivision as defined by Subsection 768.28(2), F.S., Contractor shall provide adequate commercial general liability insurance coverage and hold such liability insurance at all times during this Contract. A self-insurance program established and operating under the laws of the State of Florida may provide such coverage.

2. Workers' Compensation and Employer's Liability Insurance:

Contractor, at all times during the Contract, at its sole expense, shall provide commercial insurance of such a type and with such terms and limits as may be reasonably associated with the Contract, which, as a minimum, shall be: workers' compensation and employer's liability insurance in accordance with chapter 440, F.S., with minimum employer's liability limits of \$100,000 per accident, \$100,000 per person, and \$500,000 policy aggregate. Such policy shall cover all employees engaged in any Contract work.

3. Other Insurance:

During the Contract term, Contractor shall maintain any other insurance as required in Attachment 1, Scope of Work.

T. Confidentiality and Safeguarding Information:

1. Each Party may have access to confidential information made available by the other. The provisions of the Florida Public Records Act, Chapter 119, F.S., and other applicable state and federal laws will govern disclosure of any confidential information received by the State of Florida.

2. Contractor must implement procedures to ensure the appropriate protection and confidentiality of all data, files, and records involved with this Contract.
3. Except as necessary to fulfill the terms of this Contract and with the permission of DEO, Contractor shall not divulge to third parties any confidential information obtained by Contractor or its agents, distributors, resellers, subcontractors, officers, or employees in the course of performing Contract work, including, but not limited to, security procedures, business operations information, or commercial proprietary information in the possession of the State or DEO.
4. Contractor agrees not to use or disclose any information concerning a recipient of services under this Contract for any purpose not in conformity with state and federal law or regulations except upon written consent of the recipient, or his responsible parent or guardian when authorized by law, if applicable.
5. If Contractor has access to either DEO's network or any DEO applications, or both, in order to fulfill Contractor's obligations under this Contract, Contractor agrees to abide by all applicable DEO Information Technology Security procedures and policies. Contractor (including its employees, subcontractors, agents, or any other individuals to whom Contractor exposes confidential information obtained under this Contract), shall not store, or allow to be stored, any confidential information on any portable storage media (e.g., laptops, thumb drives, hard drives, etc.) or peripheral device with the capacity to hold information. Failure to strictly comply with this provision shall constitute a breach of Contract.
6. Contractor shall notify DEO in writing of any disclosure of unsecured confidential information of DEO by Contractor, its employees, agents, or representatives which is not in compliance with the terms of this Contract (of which it becomes aware). Contractor also shall report to DEO any Security Incidents of which it becomes aware, including those incidents reported to Contractor by its sub-contractors or agents. For purposes of this Contract, "Security Incident" means the attempted or successful unauthorized access, use, disclosure, modification, or destruction of DEO information in Contractor's possession or electronic interference with DEO operations; however, random attempts at access shall not be considered a security incident. Contractor shall make a report to DEO not more than seven (7) business days after Contractor learns of such use or disclosure. Contractor's report shall identify, to the extent known: (i) the nature of the unauthorized use or disclosure, (ii) the confidential information used or disclosed, (iii) who made the unauthorized use or received the unauthorized disclosure, (iv) what Contractor has done or shall do to mitigate any deleterious effect of the unauthorized use or disclosure, and (v) what corrective action Contractor has taken or shall take to prevent future similar unauthorized use or disclosure. Contractor shall provide such other information, including a written report, as reasonably requested by DEO's Information Security Manager.
7. In the event of a breach of security concerning confidential personal information involved with this Contract, Contractor shall comply with section 501.171, F.S., as applicable. When notification to affected persons is required under this section of the statute, Contractor shall provide that notification, but only after receipt of DEO's approval of the contents of the notice. Defined statutorily, and for purposes of this Contract, "breach of security" means the unauthorized access of data in electronic form containing personal information. Good faith

acquisition of personal information by an employee or agent of the Contractor is not a breach of security, provided the information is not used for a purpose unrelated to the Contractor's obligations under this Contract or is not subject to further unauthorized use.

U. Warranty of Ability to Perform:

Contractor warrants that, to the best of its knowledge, there is no pending or threatened action, proceeding, or investigation, or any other legal or financial condition, that would in any way prohibit, restrain, or diminish Contractor's ability to satisfy its contract obligations. Contractor warrants that neither it nor any affiliate is currently on the convicted vendor list maintained pursuant to section 287.133, F.S., or on any similar list maintained by any other state or the federal government. Contractor shall immediately notify DEO in writing if its ability to perform is compromised in any manner during the term of the Contract.

V. Patents, Copyrights, and Royalties:

1. Pursuant to section 286.021, F.S., if any discovery or invention arises or is developed in the course or as a result of work or services performed with funds from this Contract, Contractor shall refer the discovery or invention to DEO who will refer it to the Department of State to determine whether patent protection will be sought in the name of the State of Florida. Any and all patent rights accruing under or in connection with the performance of the Contract are hereby reserved to the State of Florida. The rights to any invention resulting from this Contract that is for the performance of experimental, developmental, or research work are governed by 37 CFR Part 401 and any of its implementing regulations as applicable. All data, both electronic and hard copies, created or received by Contractor during the Contract are the property of DEO and must be surrendered to DEO upon expiration, termination or cancellation of this Contract at no cost to DEO.
2. Where activities supported by this Contract produce original writings, sound recordings, pictorial reproductions, drawings or other graphic representations and works of any similar nature, DEO has the right to use, duplicate and disclose such materials in whole or in part, in any manner, for any purpose whatsoever and to allow others acting on behalf of DEO to do so. In the event any books, manuals, films, websites, web elements, electronic information, or other copyrightable materials are produced Contractor shall notify DEO. Any and all copyrights and intellectual property rights accruing under or in connection with the performance funded by this Contract are hereby reserved to the State of Florida.
3. In accordance with the provisions of section 1004.23, F.S., a State University is authorized in its own name to perform all things necessary to secure letters of patent, copyrights, and trademarks on any works it produces. Any action taken by the university in securing or exploiting such trademarks, copyrights, or patents shall, within thirty (30) days, be reported in writing by the president of the university to the Department of State in accordance with section 1004.23(6), F.S.

W. Independent Contractor Status:

In Contractor's performance of its duties and responsibilities under the Contract, it is mutually understood and agreed that Contractor is at all times acting and performing as an independent

contractor. DEO shall neither have nor exercise any control or direction over the methods by which Contractor shall perform its work and functions other than as provided herein. Nothing in the Contract is intended to or shall be deemed to constitute a partnership or joint venture between the Parties.

1. Except where Contractor is a state agency, Contractor, its officers, agents, employees, subcontractors, or assignees, in performance of this Contract shall act in the capacity of an independent contractor and not as an officer, employee, or agent of the State of Florida. Nor shall Contractor represent to others that, as Contractor, it has the authority to bind DEO unless specifically authorized to do so.
2. Except where Contractor is a state agency, neither Contractor, nor its officers, agents, employees, subcontractors, or assignees are entitled to state retirement or state leave benefits, or to any other compensation of state employment as a result of performing the duties and obligations of this Contract.
3. Contractor agrees to take such actions as may be necessary to ensure that each subcontractor will be deemed to be an independent contractor and will not be considered or permitted to be an agent, servant, joint venturer, or partner of the State of Florida.
4. Unless justified by Contractor and agreed to by DEO in Attachment 1, Scope of Work, DEO will not furnish services of support (*e.g.*, office space, office supplies, telephone service, secretarial, or clerical support) to Contractor or its subcontractor or assignee.
5. DEO shall not be responsible for withholding taxes with respect to Contractor's compensation hereunder. Contractor shall have no claim against DEO for vacation pay, sick leave, retirement benefits, social security, workers' compensation, health or disability benefits, reemployment assistance benefits, or employee benefits of any kind. Contractor shall ensure that its employees, subcontractors, and other agents, receive benefits and necessary insurance (health, workers' compensation, reemployment assistance benefits) from an employer other than the State of Florida.
6. Contractor, at all times during the Contract, must comply with the reporting and Reemployment Assistance contribution payment requirements of chapter 443, F.S.

X. Electronic Funds Transfer:

Contractor agrees to enroll in Electronic Funds Transfer (EFT), offered by the State's Chief Financial Officer within thirty (30) days of the date the last Party has signed this Contract. Copies of the Authorization form and a sample blank enrollment letter can be found on the vendor instruction page at:

<https://www.myfloridacfo.com/Division/AA/Vendors/>

Questions should be directed to the EFT Section at (850) 413-5517. Once enrolled, invoice payments will be made by EFT.

II. CONTRACTOR AND DEO AGREE:

A. Renegotiation or Modification:

The Parties agree to renegotiate this Contract if federal and/or state revisions of any applicable laws or regulations make changes to this Contract necessary. In addition to changes necessitated by law, DEO may at any time, with written notice to Contractor, make changes within the general scope of the Contract. Such changes may include modification of the requirements, changes to processing procedures, or other changes as decided by DEO. Any investigation necessary to determine the impact of the change shall be the responsibility of Contractor. Modifications of provisions of this Contract shall only be valid when they have been reduced to writing and duly signed and dated by all Parties.

B. Time is of the Essence:

Time is of the essence regarding the performance obligations set forth in this Contract. Any additional deadlines for performance for Contractor's obligation to timely provide deliverables under this Contract including but not limited to timely submittal of reports, are contained in Attachment 1, Scope of Work.

C. Termination:

1. Termination Due to the Lack of Funds:

In the event funds to finance this Contract become unavailable or if federal or state funds upon which this Contract is dependent are withdrawn or redirected, DEO may terminate this Contract upon no less than twenty-four (24) hours' notice in writing to Contractor. DEO shall be the final authority as to the availability of funds and will not reallocate funds earmarked for this Contract to another program thus causing "lack of funds." In the event of termination of this Contract under this provision, Contractor will be compensated for any work satisfactorily completed prior to notification of termination.

2. Termination for Cause:

DEO may terminate the Contract if Contractor fails to: (1) deliver the product or services within the time specified in the Contract or any extension; (2) maintain adequate progress, thus endangering performance of the Contract; (3) honor any term of the Contract; or (4) abide by any statutory, regulatory, or licensing requirement. Rule 60A-1.006(3), F.A.C., governs the procedure and consequences of default. Contractor shall continue to perform any work not terminated. The rights and remedies of DEO in this clause are in addition to any other rights and remedies provided by law or under the Contract. Contractor shall not be entitled to recover any cancellation charges or lost profits.

3. Termination for Convenience:

DEO, by written notice to Contractor, may terminate this Contract in whole or in part when DEO determines in its sole discretion that it is in the State's interest to do so. Contractor shall not furnish any product after it receives the notice of termination, except as necessary to

complete the continued portion of the Contract, if any. Contractor shall not be entitled to recover any cancellation charges or lost profits.

D. Dispute Resolution:

Unless otherwise stated in Attachment 1, Scope of Work, disputes concerning the performance of the Contract shall be decided by DEO, who shall reduce the decision to writing and serve a copy on Contractor. The decision shall be final and conclusive unless within twenty-one (21) days from the date of receipt, Contractor files with DEO a petition for administrative hearing. DEO's final order on the petition shall be final, subject to any right of Contractor to judicial review pursuant to section 120.68, F.S. Exhaustion of administrative remedies is an absolute condition precedent to Contractor's ability to pursue any other form of dispute resolution; provided however, that the Parties may employ the alternative dispute resolution procedures outlined in chapter 120, F.S.

E. Indemnification (NOTE: If Contractor is a state agency or subdivision, as defined in section 768.28(2), F.S., pursuant to section 768.28(19), F.S., neither Party indemnifies nor insures or assumes any liability for the other Party for the other Party's negligence):

1. Contractor shall be fully liable for the actions of its agents, employees, partners, and subcontractors and shall fully indemnify, defend, and hold harmless the State and DEO, and their officers, agents, and employees, from suits, actions, damages, and costs of every name and description, including attorneys' fees, arising from or relating to personal injury and damage to real or personal tangible property alleged to be caused in whole or in part by Contractor, its agents, employees, partners, or subcontractors, provided, however, that Contractor shall not indemnify for that portion of any loss or damages proximately caused by the negligent act or omission of the State or DEO.
2. Further, Contractor shall fully indemnify, defend, and hold harmless the State and DEO from any suits, actions, damages, and costs of every name and description, including attorneys' fees, arising from or relating to violation or infringement of a trademark, copyright, patent, trade secret or intellectual property right, provided, however, that the foregoing obligation shall not apply to DEO's misuse or modification of Contractor's products or DEO's operation or use of Contractor's products in a manner not contemplated by the Contract or the purchase order. If any product is the subject of an infringement suit, or in Contractor's opinion is likely to become the subject of such a suit, Contractor may at its sole expense procure for DEO the right to continue using the product or to modify it to become non-infringing. If Contractor is not reasonably able to modify or otherwise secure DEO the right to continue using the product, Contractor shall remove the product and refund DEO the amounts paid in excess of a reasonable rental for past use. DEO shall not be liable for any royalties.
3. Contractor's obligations under the preceding two paragraphs with respect to any legal action are contingent upon the State or DEO giving Contractor (1) written notice of any action or threatened action, (2) the opportunity to take over and settle or defend any such action at Contractor's sole expense, and (3) assistance in defending the action at Contractor's sole expense. Contractor shall not be liable for any cost, expense, or compromise incurred or made by the State or DEO in any legal action without Contractor's prior written consent, which shall not be unreasonably withheld.

F. Limitation of Liability:

For all claims against Contractor under this contract, regardless of the basis on which the claim is made, Contractor's liability under this contract for direct damages shall be limited to the greater of \$100,000 or the dollar amount of the contract. This limitation shall not apply to claims arising under the Indemnity paragraph contained in this Contract.

Unless otherwise specifically enumerated in the Contract, no Party shall be liable to another for special, indirect, punitive, or consequential damages, including lost data or records (unless the contract or purchase order requires Contractor to back-up data or records), even if the Party has been advised that such damages are possible. No Party shall be liable for lost profits, lost revenue, or lost institutional operating savings. The State and DEO may, in addition to other remedies available to them at law or equity and upon notice to Contractor, retain such monies from amounts due Contractor as may be necessary to satisfy any claim for damages, penalties, costs and the like asserted by or against them. The State may set off any liability or other obligation of Contractor or its affiliates to the State against any payments due Contractor under any Contract with the State.

G. Force Majeure and Notice of Delay from Force Majeure:

Neither Party shall be liable to the other for any delay or financial consequences or failure to perform under this Contract if such delay or failure is due to neither the fault nor the negligence of the Party or its employees or agents and the delay or failure is due directly to a Force Majeure Event, hereby defined as acts of God, acts of governmental authority, wars, acts of public enemies, civil or labor disturbances, fires, floods, or other similar cause wholly beyond the Party's control that makes it illegal or impossible for the Party to perform its obligations as originally contracted under this Contract, or for any of the foregoing that affects subcontractors or suppliers if no alternate source of supply is available. However, in the event of delay or failure from the foregoing causes, the Party shall take all reasonable measures to mitigate any and all resulting delay or disruption in the Party's performance obligation under this Contract. For avoidance of doubt, and without limiting or expanding upon the foregoing, the failure of DEO's Salesforce case management system, or any redirection or material change to the DEO HAF Plan by the US Treasury or government mandated closures shall qualify as a Force Majeure Event; however, COVID-19 and its variants shall not qualify as a Force Majeure Event with respect to any staffing difficulties experienced by Contractor.

In the case of any delay or failure Contractor believes is excusable under the foregoing, Contractor shall notify DEO in writing of the delay or failure, or potential delay or failure, and describe the cause of same either: (1) within fifteen (15) calendar days after the cause that creates or will create the delay or failure first arose, if Contractor could reasonably foresee that a delay or failure could occur as a result; or (2) within ten (10) calendar days after the date Contractor first had reason to believe that a delay or failure could result if the delay or failure is not reasonably foreseeable. **THE FOREGOING SHALL CONSTITUTE CONTRACTOR'S SOLE REMEDY OR EXCUSE WITH RESPECT TO DELAY OR FAILURE.** Providing notice in strict accordance with this paragraph is a condition precedent to such remedy. DEO, in its sole discretion, will determine if the delay or failure is excusable under this section and will notify Contractor of its decision in writing. If the delay or failure is excusable under this paragraph, the delay or failure will not result in any

additional charge or cost under the Contract to either Party. No claim for damages, other than for an extension of time, shall be asserted against DEO. Contractor shall not be entitled to an increase in the Contract price or payment of any kind from DEO for direct, indirect, consequential, impact, or other costs, expenses or damages, including but not limited to costs of acceleration or inefficiency arising because of delay, disruption, interference, or hindrance from any cause whatsoever. If performance is suspended or delayed, in whole or in part, due to any of the causes described in the foregoing paragraph, after the causes have ceased to exist, Contractor shall perform at no increased cost, unless DEO determines, in its sole discretion, that the delay will significantly impair the value of the Contract to DEO or the State, in which case, DEO may do any or all of the following: (1) accept allocated performance or deliveries from Contractor, provided that Contractor grants preferential treatment to DEO with respect to products or services subjected to allocation; (2) purchase from other sources (without recourse to and by Contractor for the related costs and expenses) to replace all or part of the products or services that are the subject of the delay, which purchases may be deducted from the Contract quantity; or (3) terminate the Contract in whole or in part.

H. Severability:

If any provision, in whole or in part, of this Contract is held to be void or unenforceable by a court of competent jurisdiction, that provision shall be enforced only to the extent that it is not in violation of law or is not otherwise unenforceable, and all other provisions remain in full force and effect.

I. Authority of Contractor’s Signatory:

Upon execution, Contractor shall return the executed copies of this Contract in accordance with the instructions provided by DEO along with documentation ensuring that the below signatory has authority to bind Contractor to this Contract as of the date of execution. Documentation may be in the form of a legal opinion from the Contractor’s attorney, or other reliable documentation demonstrating such authority, and is hereby incorporated by reference. DEO may, at its discretion, request additional documentation related to the below signatory’s authority to bind Contractor to this Contract.

J. Execution in Counterparts:

This Contract may be executed in counterparts, each of which shall be an original and all of which shall constitute but one and the same instrument.

K. Contact Information for Contractor and DEO Contacts:

Contractor’s Payee:	Contractor’s Contract Manager:
North Highland	Wayne Messina
3333 Piedmont Road NE	3800 Esplanade Way Suite 160
Atlanta, Ga. 30305	Tallahassee, Fl. 32311
(404) 504-7500	(850) 294-0483
(850) 222-4738	(850) 222-4738
Northhighland.com	Wayne.messina@northhighland.com

DEO's Contract Manager:

Michael DiNapoli

107 E. Madison St.- Caldwell Building

Tallahassee, FL 32399

Phone: (850) 717-8966

Fax: (850) 412-4770

Michael.dinapoli@deo.myflorida.com

In the event any of the information provided in Section II.K. above changes, including the designation of a new Contract Manager, after the execution of this Contract, the Party making such change will notify all other Parties in writing of such change. Such changes shall not require a formal amendment to the Contract.

L. Notices:

The contact information provided in accordance with Section II.K. above shall be used by the Parties for all communications under this Contract. Where the term "written notice" is used to specify a notice requirement herein, said notice shall be deemed to have been given (i) when personally delivered; (ii) when transmitted via facsimile with confirmation of receipt or email with confirmation of receipt if the sender on the same day sends a confirming copy of such notice by a recognized overnight delivery service (charges prepaid); (iii) the day following the day (except if not a business day then the next business day) on which the same has been delivered prepaid to a recognized overnight delivery service; or (iv) the third business day following the day on which the same is sent by certified or registered mail, postage prepaid, with return receipt.

M. Attachments and Exhibits: Attached to and made part of this Contract are the following Attachments and/or Exhibits, each of which is incorporated into, and is an integral part of, this Contract:

- **Attachment 1:** Scope of Work
- **Attachment 2:** Certifications and Assurances
- **Attachment 3:** State and Federal Statutes, Regulations, and Policies

N. Executive Order 21-223 - Pursuant to State of Florida Executive Order Number 21-223, Contractor shall utilize the U.S. Citizenship and Immigration Services' Systematic Alien Verification for Entitlements program (known as "SAVE"), or any successor or similar applicable verification program, to confirm the eligibility of beneficiaries before providing any funds, resources, benefits, or any other thing of value during the Contract term. Further, Contractor shall include in related subcontracts a requirement that subcontractors performing work or providing services pursuant to the Contract utilize SAVE, or any successor or similar applicable verification program, to confirm the eligibility of beneficiaries before providing any funds, resources, benefits, or any other thing of value during the Contract term.

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O. Execution:


I have read the above Contract and the attachments and exhibits thereto and understand each section and paragraph.

IN WITNESS THEREOF, and in consideration of the mutual covenants set forth above and, in the attachments, hereto, the Parties have caused to be executed this Contract by their undersigned officials duly authorized.

DEPARTMENT OF ECONOMIC OPPORTUNITY

THE NORTH HIGHLAND COMPANY LLC

By _____
Signature
Dane Eagle

By 
Signature
Wayne Messina

Title **Secretary**

Title **Vice President**

Date _____

Date **3/22/2022**

Approved as to form and legal sufficiency, subject only to full and proper execution by the Parties.

**OFFICE OF GENERAL COUNSEL
DEPARTMENT OF ECONOMIC OPPORTUNITY**

By: _____

Approved Date: _____

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Attachment 1

SCOPE OF WORK

INCLUSION OF SOLICITATION DOCUMENTS AND CONTRACTOR RESPONSE

The original specifications and all addendums and responses to 22-RFQ-009 TP, and all representations, warranties and commitments in the response and related correspondence continue as contractual obligations under this Contract.

Contractor shall provide services in accordance with the terms and conditions of the foregoing Vendor Core Contract; this Scope of Work; Contractor's State Term Contract Number 80101500-20-1 for Management Consulting Services hereby incorporated by reference; and subsection 287.058(1)(a)-(i), Florida Statutes (F.S.). The requirements of paragraphs (a) – (c) of subsection 287.058(1), F.S., are hereby incorporated by reference. If there are conflicting provisions between the Contract Documents, the order of precedence for the Documents is as follows:

1. This Scope of Work
2. The foregoing Vendor Core Contract
3. State Term Contract Number 80101500-20-1
4. DEO 22-RFQ-009 TP and Contractor's Response

CONTRACTOR IS REQUIRED TO COMPLETE ATTACHMENT 2.

1.0 General Description

The Homeowner Assistance Fund (HAF) was established under Section 3206 of the American Rescue Plan Act of 2021 and provides financial assistance to the State of Florida through the United States Department of the Treasury ("Treasury"). Through qualified expenses related to mortgages and housing, the HAF is intended to provide funds ("HAF Program Funds") to eligible homeowners for the purpose of preventing mortgage payment delinquencies, defaults, foreclosures, loss of utilities or home energy services, and displacements of homeowners experiencing financial hardship.

DEO has been designated to manage and operate the HAF on behalf of the State of Florida. DEO's management and operation of the HAF is governed by its HAF Plan and other applicable legal authorities. DEO's HAF Plan sets forth programs covering a broad range of assistance for Florida homeowners. In accordance with the terms of this Contract, Contractor will assist DEO with execution of the HAF Plan as it now exists and as it may thereafter be amended from time to time, through outreach and community engagement, application intake and case management, eligibility recommendations, and payment disbursement.

1.1 Tasks and Deliverables

Contractor shall provide Management Consulting Services with respect to the following Tasks and Deliverables. Contractor acknowledges that all Tasks and Deliverables may be subject to revisions required by US Treasury HAF Program changes or conflicts. Upon the written direction of DEO, Contractor shall make best efforts to accommodate such required changes until the Parties are able to formally memorialize the changes by written amendment.

1.1.1 Outreach and Community Engagement

Using criteria established by DEO in the HAF Plan submitted to the US Treasury, and as otherwise set forth herein, Contractor shall provide HAF Program Outreach and Community Engagement as follows:

- a. **Comprehensive Outreach Plan (COP)** - Within forty-five (45) calendar days of Contract execution or thirty (30) calendar days of US Treasury's approval of DEO's HAF Plan, whichever is later, Contractor shall develop and submit to DEO a detailed Comprehensive Outreach Plan (COP) that, upon DEO's approval, shall govern Contractor's outreach and community engagement, and as may otherwise be specified herein. Approval of the COP shall be at DEO's sole discretion. In the event DEO does not approve of the original COP submitted, DEO shall clearly communicate the deficiencies to Contractor in writing, and Contractor shall have fourteen (14) calendar days to revise the COP to cure the deficiencies and resubmit the COP to DEO for approval at DEO's sole discretion.
- b. **COP Updates** - Contractor shall make updates to the COP throughout the term of the Contract, as requested by DEO in writing. The updated COP shall be submitted to DEO for approval within (14) calendar days of DEO's request for update. Approval of the updated COP shall be at DEO's sole discretion. In the event any US Treasury guidelines or other governing authorities explicitly or implicitly require an update to the COP to ensure compliance in less than fourteen (14) days, Contractor shall update and submit the COP within the reduced timeframe necessary, as directed by DEO in writing.
- c. **Collaboration** - With respect to any services Contractor performs pursuant to this section 1.1.1, including, but not limited to the development of Outreach Materials, Contractor shall perform in consultation with DEO's designated staff (e.g., members of DEO's communications team). Contractor shall ensure that any subcontractors it utilizes comply with this provision.
- d. **Outreach Materials** - In accordance with the COP, Contractor shall create and submit Outreach Materials to DEO for approval prior to use, including any Outreach Materials that Contractor seeks to utilize with other project stakeholders (for example, community organizations). Contractor shall create Outreach Materials for media, such as TV, print, radio, social media, and internet. Contractor will use DEO-approved outreach branding guidelines to create all Outreach Materials. Contractor will translate all Outreach Materials into all languages identified by DEO in the COP and utilize such translated Materials in a cost-effective manner efficiently directed to Targeted Demographics.
- e. **Key Media** - In accordance with the COP, Contractor will develop and execute a comprehensive media campaign, including, but not limited to paid media, social media, and earned media, as part of its outreach and community engagement efforts; provided, that DEO shall separately pay for television, radio, and billboard media. All information, graphics, and materials utilized in the media campaign constitute Outreach Materials and are governed accordingly. Contractor shall document communications with persons and entities in this regard, including, but not limited to the frequency of engagement, the method, and the subjects of the communication.
- f. **Targeted Demographics** - Contractor shall focus Outreach and Community Engagement on those demographics identified in the COP.

- g. **Citizen Complaints Protocol System** - In accordance with the COP, Contractor shall develop and implement a Citizen Complaint Protocol System and associated metrics for tracking, resolving, and analyzing complaints and/or issues for each communication medium. Contractor's implementation of the System is subject to DEO's sole approval. Public facing information and graphics utilized in the System constitute Outreach Materials and are governed accordingly. A summary of complaints and issues, and responses thereto shall be included in the bi-weekly reports required in this section 1.1.1.
- h. **Marketing Dashboard** - In accordance with the COP, Contractor shall develop and maintain an online dashboard, accessible to DEO, that presents weekly-updated information on all outreach and community engagement activity.
- i. **Reports and Briefings** – On a day of the week specified in the COP, every other week Contractor shall provide DEO with a detailed, written report outlining all tasks completed in the COP to date, all current work underway, all work planned, and any other information identified in the COP or this Contract. Contractor shall also provide DEO with weekly briefings on subjects specified in the COP or otherwise identified by DEO in writing with reasonable notice to Contractor.
- j. **Reservation** - Notwithstanding anything in this Contract to the contrary, DEO reserves the right to separately procure for any services contemplated in this section 1.1.1 or set forth in the Contractor's Response, including but not limited to drafting and development of outreach materials, purchase and placement of key media, key demographic targeting and outreach, a marketing dashboard, or any website development.

1.1.2 Intake Center and Call Center Stand-up

Using criteria established by DEO in the HAF Plan submitted to the US Treasury, and as otherwise set forth herein, Contractor shall provide Intake and Call Center Services as follows:

- a. **Set-up and Ongoing Operations** - In accordance with the COP, Contractor shall set-up, staff, and operate Core Intake Centers, Temporary Intake Centers, and Call Centers. Upon Contractor's set-up and staffing of each Intake or Call Center, it shall issue DEO a written Notice of Set-up.
- b. **Intake and Case Management** - In accordance with the COP, Contractor shall operate Intake Centers and Call Centers in a manner that efficiently facilitates the acquisition and processing of all information and supporting documentation necessary to accomplish the Intake and Eligibility Operations specified in section 1.1.3. All such Intake and Case Management shall be conducted in compliance with all applicable legal authorities. No less than eighty-five percent (85%) of Intake and Case Management Services shall be performed by the Core and Temporary Intake Centers provided, however, DEO in its sole discretion may permit in writing a fixed percentage of Intake and Case Management Services to be performed remotely by staff of the Core or Temporary Intake Centers who are residents of Florida and are directly supervised by their Core or Temporary Intake Centers.
- c. **Core Intake Centers** – Core Intake Centers shall serve as primary contact locations between Contractor and the public for purposes of Intake and Case Management. Core Intake Centers must be located such that they are readily accessible to Targeted Demographics in the area. Core

Intake Centers must comply with all local zoning and permitting laws, and all other applicable legal authorities. Core Intake Centers must be open every weekday for at least eight (8) consecutive hours between 7:00 a.m. and 9:00 p.m., EST, and open one (1) weekend day each week for at least four (4) consecutive hours between 7:00 a.m. and 9:00 p.m., EST, based on the needs of the Targeted Demographics in the area.

- d. **Temporary Intake Centers** – Temporary Intake Centers shall serve as supplemental contact locations between Contractor and the public for purposes of Intake and Case Management. Temporary Intake Centers must be located such that they meet the needs of Targeted Demographics that go unmet by Core Intake Centers. Temporary Intake Centers must comply with all local zoning and permitting laws, and all other applicable legal authorities. Temporary Intake Centers must maintain consistent hours of operation that are based on the needs of the Targeted Demographics in the area.
- e. **Intake Center Staff** – Core and Temporary Intake Centers shall be staffed so as to provide competent, cost-effective, and responsive Intake and Case Management. Staff shall provide timely, professional, customer service-oriented support in a manner that also minimizes wait times and accommodates working members of the public. Staff shall be highly knowledgeable in all aspects of the HAF Plan and HAF Program Materials, including, but not limited to eligibility, and must answer questions efficiently and effectively. This section may be modified by restatement in the COP.
- f. **Call Centers** – Call Centers shall serve as a point of contact between Contractor and the public for the primary purposes of providing general HAF Program information, answering general HAF Program questions, and connecting the public with the Intake Center and Intake Center Staff appropriate to their location and situation.
- g. **Call Center Staff** – Call Centers shall be staffed so as to provide Call Center services in a competent, cost-effective, and responsive manner. Staff shall provide timely, professional, customer service-oriented support in a manner that also minimizes wait times and accommodates working members of the public. Staff shall be highly knowledgeable in aspects of the HAF Plan and HAF Program Materials related to Intake and Case Management, including, but not limited to Intake Center locations and the various types of documentation typically necessary for Intake, and must answer general questions efficiently and effectively. At a caller's discretion, Call Center Staff may accept and enter the caller's general information into DEO's Subrecipient Enterprise Resource Application ("SERA System") for follow-up contact by Intake Center staff and/or refer the applicant to the closest Intake Centers. Call Center Staff may not initiate Intake, accept a caller's documentation, or otherwise represent to callers that they are beginning Intake through the Call Center. This section may be modified by restatement in the COP.
- h. **HAF Program Materials**
 - 1) **Development** - Within forty-five (45) calendar days of Contract execution or thirty (30) calendar days of US Treasury's approval of DEO's HAF Plan, whichever is later, Contractor shall develop and submit to DEO for approval all HAF Program Materials necessary for an efficient, cost effective, and accurate review and eligibility determination of HAF Program Applications in full compliance with all applicable legal authorities, DEO's US Treasury-approved HAF Plan, and any additional guidelines provided by DEO. HAF Program

Materials shall include, but are not limited to, a comprehensive HAF Program Operating Manual, Application Materials, and Eligibility Recommendation Materials. In addition to other necessary provisions, Contractor's HAF Program Operating Manual shall incorporate the Citizen Complaints Protocol System developed in section 1.1.1 to ensure complaints and issues raised by applicants are assessed and addressed, as may be appropriate, in Contractor's Intake and Eligibility Operations. In the event that Contractor determines, or DEO notifies Contractor in writing that an update to HAF Program Materials is necessary, Contractor shall develop and submit same to DEO for approval within fourteen (14) calendar days of such determination or notification. Upon DEO's approval of HAF Program Materials, Contractor shall transmit such Materials to DEO's designated Monitor.

- 2) **Submission** - By submitting HAF Program Materials to DEO for approval, Contractor represents and warrants that such HAF Program Materials are drafted to ensure full compliance with all applicable legal authorities, DEO's US Treasury-approved HAF Plan, and any additional guidelines provided by DEO. Further, by submission, Contractor acknowledges that DEO is acting in reliance upon the foregoing representation and warranty.
 - i. **DEO Recoupment** - In the event that (1) Contractor recommends a HAF Applicant as eligible for any HAF Program; (2) HAF Program Funds are issued to or for the Applicant for that Program; and (3) those Funds are thereafter deemed disallowed by the federal government for non-compliance with applicable legal authorities or DEO's US Treasury-approved HAF Plan, and the federal government therefore seeks recoupment from the State of Florida, then Contractor is absolutely liable for the disallowed funds and shall return the disallowed funds sought to DEO within 30 days of DEO's written demand. In the event DEO's designated Monitor approves Contractor's recommendation of eligibility as to a HAF Applicant and any HAF Program, Contractor's liability for the related, disallowed funds shall be joint and several with any liability of that designated Monitor for the related, disallowed funds that may exist. Notwithstanding the foregoing, Contractor shall not be liable for disallowed costs for a payment to or for a HAF Applicant where Contractor's recommendation of eligibility is based upon a fraudulent representation by a HAF Applicant not reasonably detectable by Contractor or due to a later change in guidance from the U.S. Treasury or later change in written guidance by DEO which would have the effect of causing a previous payment to an individual to become disallowed.
 - j. **Training and Equipment** - Contractor shall recruit and train staff in accordance with approved HAF Program Materials, provide all necessary equipment, and take all other steps necessary for Contractor's efficient, cost effective, and accurate HAF Program Application Review.
 - k. **Managing Expectations** – As part of Intake and Case Management, Contractor shall ensure HAF Applicants, including Applicants Contractor recommends as eligible in accordance with HAF Program Materials, know the next step in the process and are provided with clearly defined expectations, including, but not limited to a viable timeline. In addition to providing the information verbally and answering related questions, Contractor will provide the Applicant with an easily understandable written or graphic document approved by DEO that sets forth the preceding information. Such documents constitute Outreach Materials and are governed accordingly. Contractor shall ensure that Applicants understand that any preliminary determination of eligibility remains subject to further review.

- l. **Language Support** - Contractor shall ensure multi-lingual documentation translation capability for all stages of Intake and Eligibility Operations. Contractor will ensure all Intake and Call Centers can provide multi-lingual services, including, but not limited to English, Spanish, and Haitian-Creole, so as to address language issues during Intake and Case Management, both verbally and in writing.
- m. **Information Technology Security** – Throughout the provision of all services in this section, Contractor shall implement and maintain industry-standard information technology security measures to prevent fraud and abuse, and to protect Personal Identifying Information (PII) and any other confidential information provided to Contractor by HAF applicants, DEO, DEO’s designated Monitor, and the public at large.
- n. **Customer Service Standards** – Metrics-based customer service standards shall be established in the COP. For each Intake Center and Call Center, Contractor will provide a corresponding, metrics-based customer service standard accounting for time of transaction, overall number of customers served daily, and any other metrics specified in the COP. These metrics and accounting will be provided to DEO in the applicable bi-weekly report specified in section 1.1.1. Each Intake Center and Call Center must consistently meet or exceed the customer service standards established herein and the COP. In addition to the other requirements imposed by this section 1.1.2, these Customer Service Standards shall be used to evaluate whether Contractor’s Intake Centers meet the Intake and Case Management needs of the Targeted Demographics in its area, and whether Contractor’s Call Centers meet the statewide needs of the HAF Program.

1.1.3 Intake and Eligibility Operations

Forty-five (45) calendar days after DEO’s approval of the COP, or upon DEO’s approval of all HAF Materials, whichever is later (the “Date of Commencement of Intake and Eligibility Operations”), Contractor shall commence performing HAF Program Intake and Eligibility Operations in accordance with the criteria established in the HAF Plan and HAF Program Materials, and as otherwise set forth herein, as follows:

- 1) **Application Review** - Contractor shall take, process, and review all HAF Program Applications in accordance with approved HAF Program Materials. All such Intake and Case Management will be done in DEO’s SERA System. Contractor’s staff shall review Applications and make accurate eligibility recommendations for each HAF Program described in DEO’s HAF Plan. The Intake and Case Management for each HAF Program Application shall culminate in Contractor’s production of a Complete Case File.
- 2) **Complete Case File** - A Complete Case File is concerned with a single HAF Applicant address for which Contractor has completed the full Application Review Process. Contractor shall not submit more than one Complete Case File per address. A Complete Case File shall consist of, at minimum: (1) the related HAF Program Application and all other documents and information necessary for an accurate and complete eligibility recommendation in accordance with all approved HAF Program Materials; (2) Contractor’s recommendation of eligibility or ineligibility as to each HAF Program; (3) a certification, signed by the reviewing and recommending staff member(s), on behalf of Contractor, that the recommendations are made in accordance with all approved HAF Program Materials, and in full compliance with all applicable legal authorities, DEO’s US Treasury-approved HAF Plan, and any additional guidelines provided by DEO.

- 3) **Quality Assurance / Quality Control** – As part of Intake and Case Management, in addition to other necessary tasks, Contractor shall:
- i. Review HAF Program Applications and ensure all required fields are complete, and to the best of Contractor’s knowledge, correct, and ensure all required supporting documentation is included, complete, and to the best of Contractor’s knowledge, correct, including but not limited to proof of identification, income attestation, financial hardship attestation, mortgage documents, and any and all other documents required by HAF Program Materials.
 - ii. Validate to best industry standards that, if an applicant is ultimately eligible, the recipient of funds is the eligible applicant’s Service Provider.
 - iii. Review and confirm electronic payment information for Complete Case Files.
 - iv. Provide regular and transparent communication to DEO about the Application Review Process and elevate issues to DEO HAF Program staff.
 - v. Determine and document case file status.
 - vi. Perform regular quality control of case file lifecycle and eligibility assessments.
 - vii. Upon written notice by DEO or DEO’s designated Monitor, promptly furnish same with all requested records and data arising from Contractor’s performance of this Contract.
- 4) **DEO’s Designated Monitor** – DEO may designate and notify Contractor in writing of a Monitor that shall be responsible for, among other things, monitoring various aspects of Contractor’s performance of this Contract in relation to efficiency, the Contract’s terms, the approved HAF Plan, and other applicable legal authorities. DEO’s designated Monitor is utilized for the sole benefit of DEO in its administration of the HAF Program and in no way relieves Contractor of its obligations under this Contract or applicable legal authorities. All aspects of DEO’s selection and utilization of a designated Monitor are at DEO’s absolute and sole discretion. Contractor shall cooperate with all requests for access, information, and records made by DEO or the designated Monitor with reasonable notice to Contractor that are reasonably related to the aforementioned monitoring responsibilities with respect to Contractor’s performance of this Contract. In the event Contractor is in doubt about a certain obligation with respect to DEO’s designated Monitor, Contractor shall promptly notify DEO in writing of the exact nature of the issue in doubt.
- 5) **Complete Case File Monitoring** – Contractor shall promptly submit all Case Files it deems to be Complete Case Files to DEO’s designated Monitor for review of completeness and approval as accurate. Any Case Files deemed deficient for incompleteness by the Monitor shall be returned to Contractor with an explanation of any deficiencies. Contractor shall have fifteen (15) calendar days from the date of receipt of the File to cure the deficiencies and resubmit the File for review and approval. Contractor shall be paid, in the amount specified herein, for each Complete Case File approved as accurate by the Monitor for which the Applicant is recommended eligible for one or more HAF Programs (an “Eligible Complete Case File”). A Complete Case File that is not approved as an Eligible Complete Case File shall not qualify for payment (an “Ineligible Complete Case File”), unless the discrepancy between Contractor’s recommendation of eligibility and the disapproval of accuracy is clearly attributable to fraud by the HAF Program Applicant not reasonably

detected by Contractor. In the event of such, Contractor shall qualify for payment for the Complete Case File as if it were an Eligible Complete Case File; however, such a File shall not be treated as an Eligible Complete Case File for any other purpose. With respect to Contractor's right to any payment under this provision, the Monitor shall reasonably determine what constitutes an Eligible Complete Case File in accordance with the Operating Manual. DEO shall determine what constitutes fraud by the HAF Program Applicant not reasonably detected by Contractor. Contractor shall invoice for Eligible Complete Case File payment on a monthly basis. The foregoing does not limit any actions that DEO may take with respect to an Eligible Complete Case File, at its own discretion or as may be required by law. For purposes of this Complete Case File Monitoring section, in the absence of a designated Monitor, or if required by law, DEO may elect to perform one or more of the responsibilities of the Monitor.

- 6) **Case Summary** – At the time of invoicing, Contractor shall also provide DEO with a Case Summary providing details sufficient to permit DEO to accurately compare and verify Contractor's performance against DEO's designated Monitor's own reports and including any other information DEO deems necessary to confirm Contractor's performance.
- 7) **Minimum Submissions**
- i. **Daily Minimum** - Beginning on the first of the month following one-hundred twenty (120) calendar days after the Date of Commencement of Intake and Eligibility Operations (the "First Month for Minimum Submissions"), Contractor shall thereafter submit one hundred (100) Eligible Complete Case Files per day ("Daily Minimum").
 - ii. **Quarterly Waiver** – Beginning with the First Month for Minimum Submissions, for each set of three calendar months thereafter ("Quarters"), Contractor shall submit five thousand (5,000) Eligible Complete Case Files in that Quarter ("Quarterly Goal"). In the event Contractor meets its Quarterly Goal, all Financial Consequences imposed for Contractor's failure to meet a Daily Minimum for a day in that Quarter shall be waived.
 - iii. **SERA Waiver and Reduction** - For any day in which Contractor's failure to meet the Daily Minimum is clearly and provably attributable to a failure of DEO's SERA system, the Financial Consequence imposed for that day shall be waived, and the Quarterly Goal for the Quarter in which that day is calendared shall be reduced by one hundred (100) Eligible Complete Case Files.
 - iv. **Total Minimum Waiver** - Contractor shall submit enough Complete Case Files within 30 months of the Date of Commencement of Intake and Eligibility Operations to yield 20,000 Eligible Complete Case Files that lawfully and accurately obligate at least 80% of all HAF Program Funds, excluding funds approved by Treasury for administrative costs. (all together, the "Minimum Total"). The Minimum Total shall be deemed met if Contractor sooner submits enough Eligible Complete Case Files such that all HAF Program Funds are lawfully, accurately, and completely obligated. In the event that Contractor timely meets the Minimum Total, all Financial Consequences imposed for Deliverables 1-6 prior to that date shall be waived. In the event that Contractor timely meets the Minimum Total and HAF Program Funds remain, the Parties may agree in writing on a new Minimum Total and due date to thereafter govern this section.

- v. **Timing of Submissions** - For purposes of these Minimum Submission provisions, Eligible Complete Case Files shall be counted for the day in which Contractor submits the Complete Case File to DEO's designated Monitor, unless Contractor had to cure a deficiency and resubmit, in which case, the Eligible Complete Case File will be counted for the day in which the cured File was resubmitted to the Monitor.
 - vi. **Preservation of Rights and Remedies** - No waiver of Financial Consequences made pursuant to this Minimum Submissions section or elsewhere shall constitute a waiver of or otherwise hinder any legal rights or remedies held by DEO, including, but not limited to DEO's right to full recoupment of disallowed funds as provided for herein.
- 8) **Maximum Monthly Error Rate** – Contractor shall not submit Complete Case Files that yield an error rate greater than 5% per month for each month beginning sixty (60) calendar days after the Date of Commencement of Intake and Eligibility Operations. Complete Case Files are in error if DEO's designated Monitor returns the File to Contractor as deficient based on a reasonable determination of deficiency, including a description of the portion(s) of the File that is deemed deficient and the reason(s) the File was determined to be deficient. For purposes of this Maximum Monthly Error Rate provision, deficiencies will be counted for the month in which Contractor submits the deficient File.

1.1.4 Payment Disbursement

Using criteria established in the HAF Plan, HAF Program Materials, and as otherwise set forth herein, Contractor shall perform HAF Program Payment Disbursement as follows:

- a. **Working Relationships** – In accordance with the COP, Contractor will begin establishing working relationships with entities that may receive funds on behalf of Eligible HAF Applicants (for example, tax collectors, insurance companies, utility companies, mortgage servicers, internet providers, etc.).
- b. **Direct Program Payments** - Within ten (10) calendar days' written notice from DEO, or its designee, of a HAF Program Applicant's final eligibility for one or more HAF Programs, or within ten (10) calendar days after DEO makes funds available to Contractor for the purpose, whichever is later, Contractor shall issue payments in accordance with approved HAF Program Materials (a "Direct Program Payment"), either directly to that Eligible Applicant's appropriate Service Provider(s) or, if permitted by the approved HAF Program Materials, directly to the Eligible HAF Applicant. Prior to making a Direct Program Payment to a HAF Applicant, and in addition to all other documents and information required, Contractor shall obtain from the Applicant a sworn, notarized affidavit in the form and substance set forth in the HAF Materials or otherwise specified by DEO in writing. Notwithstanding any fraudulent representation by the Applicant, Contractor's failure to obtain the required affidavit shall render Contractor absolutely liable for any funds issued to the Applicant that are later disallowed.
- c. **Proof of Issuance and Satisfaction** - Within ten (10) calendar days of Direct Program Payment, Contractor shall upload into DEO's SERA system clear, conclusive evidence of the Direct Program Payment to the appropriate recipient, and clear, conclusive evidence that the Direct Program Payment satisfied the issue(s) which served as the basis for the Applicant's HAF Program eligibility. If payments directly to individuals are authorized in the HAF plan and Contractor is processing payments directly to individuals, then Contractor shall adhere to the requirements of this

paragraph for such payments; provided, however, that Contractor will only be required to provide clear, conclusive evidence that the individual’s submitted costs were eligible for payment from HAF funds.

- d. **Reissuance** - Contractor shall accept and make best efforts to correctly reissue returned Direct Program Payments (for example, returned and/or bounced Automatic Clearing House or checks) to the Eligible Applicant’s appropriate Service Provider. If Contractor is unable to resolve reissuance within sixty (60) calendar days, it will immediately give DEO written notice of same and take actions as directed by DEO in writing with respect to the returned funds
- e. **Disbursement Dashboard** – In accordance with the COP, Contractor shall develop and maintain an online dashboard, accessible to DEO, that presents live, up-to-date information on Payment Disbursement Activity, including, but not limited to the amount of HAF Program Funds disbursed, sortable individually, and in any combination, by day, week, and month, by county, and by HAF Program.

1.2 Deliverables, Tasks, Minimum Level of Service, and Financial Consequences

In accordance with the foregoing and as otherwise specified herein, Contractor shall provide the following Deliverables. In the event that a Deliverable is deemed untimely and/or unsatisfactory by DEO, the specified Financial Consequence(s) shall be imposed, and Contractor shall re-perform the deliverable as needed for submittal of a satisfactory Deliverable at no additional cost to DEO. Payment does not evidence satisfactory completion of a Deliverable. Contractor’s failure to timely/satisfactorily complete the Deliverables in accordance with this Contract, in particular, as specified in this Attachment 1, Scope of Work, will result in substantial injury to DEO and damages arising from such failure cannot be calculated with certainty. Consequently, Contractor and DEO agree that the Financial Consequences specified in this section 1.2 are reasonable compensation for same and are not intended to penalize or punish Contractor.

In the event that Contractor timely meets the Minimum Total as described above in section 1.1.3, all Financial Consequences imposed for Deliverables 1-5 prior to that date shall be waived as provided for in section 1.1.3.

The Financial Consequences provided for in this section 1.2 are not DEO’s sole remedy for Contractor’s failure to timely and satisfactorily perform. Nothing in this section 1.2 is or shall be construed as a waiver of or otherwise hinder any other legal rights or remedies held by DEO with respect to this Contract and Contractor’s performance thereof, including, but not limited to DEO’s right to full recoupment of disallowed funds as provided for herein.

Deliverable No. 1 – Comprehensive Outreach Plan (COP)		
Description	Minimum Level of Performance	Financial Consequences
In accordance with section 1.1.1, Contractor shall timely develop and submit a Comprehensive Outreach Plan (COP), and thereafter, Contractor shall timely make and submit requested updates.	Contractor shall develop a COP and submit it to DEO for approval at DEO’s sole discretion. In the event DEO does not approve of the COP submitted, DEO shall communicate the deficiencies to Contractor in writing and Contractor shall cure the deficiencies and resubmit the	Each failure to timely submit the COP, resubmit the cured COP, or submit an updated COP shall result in a reduction in payment of \$5,000 for every calendar day beyond the applicable due date(s) until submission.

	<p>COP to DEO for approval at DEO's sole discretion.</p> <p>Upon DEO's request, Contractor will make updates to the COP and submit the updated COP for approval at DEO's sole discretion</p> <p>Evidence of performance will be the approved COP, the approved updated COP, and the discretionary, written statement(s) of approval of DEO's Contract Manager.</p>	<p>Reductions shall be made from payments due for any deliverable in this Contract, as selected by DEO at its sole discretion.</p>
<p>Deliverable No. 1 – Comprehensive Outreach Plan (COP) – Up to \$752,270</p>		

<p>Deliverable No. 2 – Execution of Comprehensive Outreach Plan</p>		
<p>Description</p>	<p>Minimum Level of Performance</p>	<p>Financial Consequences</p>
<p>In accordance with section 1.1.1, Contractor shall timely execute the tasks in the approved COP.</p> <p>In accordance with section 1.1.1, Contractor shall timely provide DEO with bi-weekly reports.</p>	<p>Contractor shall complete a minimum of one (1) task as described in the approved COP</p> <p>Evidence of performance will be found in Contractor's bi-weekly reports, Outreach Materials and DEO's statement of approval, the website, the Citizen Complaints Protocol System, the Marketing Dashboard, and other evidence Contractor shall provide upon DEO's request.</p>	<p>Each failure to timely complete a task as described in the COP shall result in a reduction in payment of \$1,000 for every calendar day beyond the applicable due date until task completion.</p> <p>Failure to maintain operation of the Marketing Dashboard as described in the COP shall result in a reduction in payment of \$1,000 per calendar day the Dashboard is not fully functional.</p> <p>Each failure to provide a complete bi-weekly report by the due date specified in the COP shall result in a financial consequence of \$1,000 for every calendar day beyond the due date until the complete report is provided.</p> <p>Reductions shall be made from payments due for any deliverable in this Contract, as selected by DEO at its sole discretion.</p>
<p>Deliverable No. 2 – Execution of Comprehensive Outreach Plan – Up to \$11,718,520</p>		

Deliverable No. 3 – Intake Center and Call Center Stand-up		
Description	Minimum Level of Performance	Financial Consequences
<p>In accordance with section 1.1.2, Contractor shall timely develop and submit HAF Program Materials and thereafter, Contractor shall timely make any necessary updates. Further, Contractor shall timely set-up, staff, and operate Intake and Call Centers to provide Intake and Case Management Services.</p>	<p>Contractor shall develop and submit all HAF Program Materials in accordance with section 1.1.2.</p> <p>Contractor shall develop and submit updated HAF Program Materials, as necessary, in accordance with section 1.1.2.</p> <p>Contractor shall set-up, staff, and operate an Intake Center to both comply with all requirements of section 1.1.2 and meet or exceed the applicable Customer Service Standards</p> <p>Contractor shall set-up, staff, and operate a Call Center to comply with all requirements of section 1.1.2 and meet or exceed the applicable Customer Service Standards.</p> <p>Evidence of performance will be found in submitted HAF Program Materials, the Customer Service Metrics in Contractor’s bi-weekly reports, and other evidence Contractor shall provide upon DEO’s request.</p>	<p>Failure to timely submit initial HAF Program Materials shall result in a reduction in payment of \$1,000 for every calendar day beyond the due date until submission.</p> <p>Each failure to timely submit updated HAF Program Materials shall result in a reduction in payment of \$1,000 for every calendar day beyond the due date until submission.</p> <p>Each failure to timely set-up and staff an Intake Center such that it can meet the Intake and Case Management needs of the Target Demographic in its area shall result in a reduction of \$5,000 for every calendar day it failed in the first thirty (30) calendar days following Contractor’s Notice of Set-Up.</p> <p>After the first thirty (30) calendar days following Contractor’s applicable Notice of Set-Up, for each day in which an Intake Center fails to operate in accordance with section 1.1.2 and meet its Customer Service Standards, there shall be a reduction in payment of \$5,000. No more than two such reductions per week (Sunday through Saturday) shall be assessed with respect to any one Intake Center.</p> <p>Each failure to timely set-up and staff a Call Center such that it can meet the statewide needs of the HAF Program shall result in a reduction of \$5,000 for every calendar day it failed in the first</p>

		<p>thirty (30) calendar days following Contractor’s Notice of Set-Up.</p> <p>After the first thirty (30) calendar days following Contractor’s applicable Notice of Set-Up, for each day in which a Call Center fails to operate in accordance with section 1.1.2 and meet its Customer Service Standards, there shall be a reduction in payment of \$5,000.</p> <p>Reductions shall be made from payments due for any deliverable in this Contract, as selected by DEO at its sole discretion.</p>
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Deliverable No. 3 – Intake Center and Call Center Stand-up – Up to \$15,226,080

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Deliverable No. 4 – Intake and Case Management Processing

Description	Minimum Level of Performance	Financial Consequences
<p>In accordance with section 1.1.3, Contractor shall take, process, and review HAF Program Applications and promptly submit all Complete Case Files for review of completeness and approval of accuracy. Contractor shall timely cure any deficiencies in Case File completeness and resubmit the Case File for review and approval.</p> <p>Contractor shall invoice for payment monthly and provide DEO with a sufficient Case Summary at the time of invoicing.</p> <p>Contractor shall submit enough Eligible Complete Case Files to meet its Daily Minimum submission requirement and its Quarterly Goal.</p> <p>Contractor shall be paid \$2,000 for each Eligible Complete Case File.</p>	<p>Contractor shall submit an Eligible Complete Case File in accordance with section 1.1.3.</p> <p>Evidence of performance will be the Complete Case File, Contractor’s monthly Case Summary, the Monitor’s monthly Case Summary, and other evidence Contractor shall provide upon DEO’s request.</p>	<p>Failure to timely provide a sufficient Case Summary shall result in non-payment for that month until a sufficient Case Summary is submitted.</p> <p>Failure to timely cure and resubmit a deficient Case File shall result in a fifty percent (50%) reduction in any payment that may be due for that File in the future.</p> <p>Failure to meet the Daily Minimum submission requirement shall result in a reduction in payment of \$1,000 for each Eligible Complete Case File that Contractor falls short of the Daily Minimum. This Financial Consequence shall be waived for any day in which Contractor’s failure to meet the daily minimum is clearly and provably attributable to a failure of DEO’s</p>

		<p>SERA System. In the event Contractor meets its Quarterly Goal, all Financial Consequences imposed for Contractor’s failure to meet a Daily Minimum for a day in that Quarter shall be waived.</p> <p>Exceeding the maximum monthly error rate of 5% shall result in a \$1,000 reduction in payment per deficient Case File submitted that caused Contractor’s error rate to exceed 5%.</p> <p>Reductions shall be made from payments due for any deliverable in this Contract, as selected by DEO at its sole discretion.</p>
<p>Deliverable No. 4 – Total not to exceed \$41,050,000</p>		

<p>Deliverable No. 5 – Payment Disbursement</p>		
<p>Description</p>	<p>Minimum Level of Performance</p>	<p>Financial Consequences</p>
<p>In accordance with section 1.1.4, Contractor shall timely make Direct Program Payments and provide DEO with proof of payment and satisfaction. Further, Contractor shall timely develop and maintain a Disbursement Dashboard.</p>	<p>Contractor shall make a Direct Program Payment.</p> <p>Evidence of performance will be the clear, conclusive proof of payment and satisfaction, the Dashboard, and other evidence Contractor shall provide upon DEO’s request.</p>	<p>Each failure to timely make a Direct Program Payment shall result in a reduction in payment to Contractor of \$100 per calendar day until payment is made.</p> <p>Failure to timely develop and implement the Disbursement Dashboard shall result in a reduction in payment of \$1,000 per calendar day until implementation.</p> <p>Failure to maintain the Disbursement Dashboard shall result in a reduction in payment of \$250 per day that the Dashboard is not fully functional.</p> <p>Reductions shall be made from payments due for any deliverable in this Contract, as</p>

		selected by DEO at its sole discretion.
Deliverable No. 5 – Payment Disbursement – Up to \$5,801,420		

COST SHIFTING: The deliverable amounts specified within the table above are not intended to restrict DEO’s ability to approve and pay allowable expenses or costs incurred providing the Deliverables herein. Prior written approval from DEO’s Contract Manager is required for changes to the above Deliverable amounts that do not exceed 10% of each Deliverable total funding amount. Changes that exceed 10% of each Deliverable total funding amount will require a formal written amendment request from Contractor, as described in Modification section of the Agreement. Regardless, in no event shall DEO pay Contractor more than the total amount of this Agreement.

2.0 Staff Qualifications and Performance Criteria

Contractor shall possess the professional and technical staff necessary to perform the management consulting services required by this Contract, and the staff shall have sufficient skill and experience to perform the services assigned to them.

All the management consulting services to be furnished by the Contractor under this Contract shall meet the professional standard and quality that prevail among management consulting professionals in the same discipline and of similar knowledge and skill engaged in related work throughout Florida under the same or similar circumstances. The Contractor shall provide, at its own expense, training necessary for keeping Contractor staff abreast of industry advances and for maintaining proficiency in equipment and systems that are available on the commercial market.

Contractor shall render services in accordance with this Contract. Contractor shall maintain during the term of the Contract all licenses, permits, qualifications, insurance and approvals of whatever nature that are legally required to perform the management consulting services.

During the term of this Contract, Contractor shall be responsible for ensuring its employees, agents, and subcontractors, whenever on DEO premises, obey and comply with all rules, policies, and any other standards and procedures, which must be adhered to by DEO’s employees and vendors.

2.1 Background Screenings

DEO has designated certain duties and positions as positions of special trust because they involve special trust responsibilities, are located in sensitive locations or have key capabilities with access to sensitive or

confidential information. The designation of a special trust position or duties is at the sole discretion of DEO.

Contractor or Contractor's employees, agents, or subcontractors, who in the performance of this Contract will be assigned to work in a position determined by DEO to be a position of special trust are required to submit to a Level 2 background screening and be approved to work in a special trust position prior to being assigned to this project.

Level 2 screenings include Livescan fingerprinting of individuals and submission of the fingerprints through the Florida Department of Law Enforcement (FDLE) for a local, state and National Crime Information Center (NCIC) check of law enforcement records through the Federal Bureau of Investigation (FBI).

In accordance with section 112.011, F.S., Contractor or Contractor's employees, agents, or subcontractors who have been convicted of Disqualifying Offenses, shall not be assigned to this Contract. Disqualifying Offenses include, but are not limited to, theft, fraud, forgery, embezzlement, crimes of violence or any similar felony or first-degree misdemeanor offenses directly related to the position sought. Screening results indicating convictions of Disqualifying Offenses will result in a Contractor, Contractor employee, agent, or subcontractor not being allowed to work on this Contract.

All costs incurred in obtaining background screening shall be the responsibility of the Contractor. The results of the screenings are confidential and will be provided by secure email transmission from FDLE to DEO and will be maintained by DEO. DEO's Contract Manager will provide written approval/disapproval of the Contractor's employees, agent, or subcontractor to the Contractor. Contractor employees, agents, or subcontractors are prohibited from performing any work under this project until written approval of the employee is received from DEO's Contract Manager. DEO reserves the right to make final determinations on suitability of all Contractor employees, agents, or subcontractors assigned to this project.

2.2 Staffing Changes

Contractor may make staffing changes or cost shifting of staff assigned to this Contract only with prior review and written approval of DEO's Contract Manager. DEO's Contract Manager must be notified in writing at least ten (10) calendar days prior to a potential change in staff. Notifications must include the candidate's name, résumé, position, title, starting date, and references. DEO's Contract Manager reserves the right to interview all potential staff prior to beginning work on the project. DEO reserves the right to request the replacement of any staff through written notification to Contractor. In the event of a staff change or cost shifting, an amendment to this Contract (and the corresponding change order to the Purchase Order) shall only be required if the change of staff also results in a change of the hourly rate.

If a staffing change occurs, with each invoice submitted thereafter, Contractor shall also submit a copy of the notification letter citing the applicable staffing changes as approved, signed, and dated by DEO's Contract Manager.

2.3 Reserved

2.4 Prohibition Against Contracting with Scrutinized Companies; Contractor Certifications

Contractor is ineligible to, and may not, bid on, submit a proposal for, or enter into or renew this contract with DEO if, at the time of bidding on, submitting a proposal for, or entering into or renewing such Contract, the company is on the Scrutinized Companies that Boycott Israel List, created pursuant to section 215.4725, F.S., or is engaged in a boycott of Israel. At the time Contractor submits a bid or proposal for this Contract, Contractor must certify that it is not participating in a boycott of Israel. DEO may terminate this Contract at its option if Contractor is found to have been placed on the Scrutinized Companies that Boycott Israel List or is engaged in a boycott of Israel.

In addition to the provisions in the preceding paragraph, If the value of this Contract is \$1,000,000 or more, not including renewal years, Contractor is ineligible to, and may not, bid on, submit a proposal for, or enter into or renew this Contract with DEO if, at the time of bidding on, submitting a proposal for, or entering into or renewing such Contract, Contractor is on the Scrutinized Companies with Activities in Sudan List or the Scrutinized Companies with Activities in the Iran Petroleum Energy Sector List, created pursuant to section 215.473, F.S., or is engaged in business operations in Cuba or Syria. Furthermore, at the time Contractor submits a bid or proposal for such a Contract, Contractor must also certify that the company is not on the Scrutinized Companies with Activities in Sudan List or the Scrutinized Companies with Activities in the Iran Petroleum Energy Sector List and that it does not have business operations in Cuba or Syria. DEO may terminate this Contract at its option if Contractor is found to have submitted a false certification under this section 2.4, been placed on the Scrutinized Companies with Activities in Sudan List or the Scrutinized Companies with Activities in the Iran Petroleum Energy Sector List, or been engaged in business operations in Cuba or Syria.

3.0 DEO Contract Liaisons

DEO designates as its Contract Manager, Michael DiNapoli, who can be contacted by telephone at (850) 717-8966 or by email at Michael.DiNapoli@deo.myflorida.com.

DEO designates as its Project Manager, Michael DiNapoli, who can be contacted by telephone at (850) 717-8966 or by email at Michael.DiNapoli@deo.myflorida.com.

4.0 Reserved

5.0 Invoicing Instructions

In accordance with subsection 287.058(1)(a), F.S. and Section I., G., of the Vendor Core Contract, Contractor will provide DEO's Contract Manager invoices in sufficient detail for a proper pre-audit and post-audit thereof. All invoices must be submitted on a monthly basis to DEO's Contract Manager in accordance with the State of Florida Reference Guide for State Expenditures.

Invoices must clearly reflect the services/deliverables that were provided according to the terms of the Contract and include the number of hours worked at the hourly rate for each State Term Contract ("STC") position, STC job title and the tasks that were provided during the invoice period, and the respective Deliverable(s).

Travel, if approved by DEO, will only be reimbursed in accordance with section 112.061, F.S. Travel must be pre-approved in writing by DEO's Contract Manager. Each request to incur travel expenses should be submitted following procedures specified in the following link:

https://sharepoint.deo.myflorida.com/finan_mgt/Manuals/Travel%20Manual%203.05.pdf

The procedures described in the DEO Travel Manual are hereby incorporated by reference.

Performance under this Contract shall be done on an hourly basis, not to exceed the number of hours authorized per job number, job title, and scope variant as specified below. Notwithstanding the foregoing limitations, Contractor shall be paid a fixed project-rate for Deliverable 4, as specified therein. For avoidance of doubt, Contractor’s performance under Deliverable 4, along with the other Deliverables, is limited by hours authorized per job number, job title, and scope variant as specified below, however, Contractor shall only be paid the fixed rate per Eligible Complete Case File specified in Deliverable 4. Contractor shall not be paid an hourly rate for performance under Deliverable 4.

Management Consulting State Term Contract 80101500-20-1				
Management Consulting Services				
Job Title	State Term Contract Maximum Hourly Rate	DEO Discounted Labor Rate	Estimated Total Hours	Total Cost
Principal	\$242	\$242	23,688	\$5,732,496.00
Senior Consultant	\$195	\$195	62,832	\$12,252,240.00
Consultant	\$175	\$175	120,960	\$21,168,000.00
Junior Consultant	\$135	\$135	205,632	\$27,760,320.00
Program & Administrative Support	-	-	0	\$0.00
TOTAL				\$66,913,056.00

Deliverable	Total Cost
Deliverable No. 1 – Comprehensive Outreach Plan (COP)	Up to \$752,270
Deliverable No. 2 – Execution of Comprehensive Outreach Plan	Up to \$11,718,520
Deliverable No. 3 – Intake Center and Call Center Stand-up	Up to \$15,226,080
Deliverable No. 4 – Intake and Case Management Processing	Up to \$41,050,000
Deliverable No. 5 – Payment Disbursement	Up to \$5,801,420
TOTAL	Up to \$74,548,290

The State of Florida and DEO’s performance and obligation to pay under this Contract is contingent upon an annual appropriation by the Legislature and availability of any and all applicable federal funds. DEO shall be the final authority as to the availability of funds for this Contract, and as to what constitutes an “annual appropriation” of funds to complete this Contract.

- End of Attachment 1 (Scope of Work) -

Attachment 2

CERTIFICATIONS AND ASSURANCES

DEO will not award this Contract unless Contractor completes the CERTIFICATIONS AND ASSURANCES contained in this Attachment. In performance of this Contract, Contractor provides the following certifications and assurances:

- A. Debarment and Suspension Certification (29 CFR Part 95 and 45 CFR Part 75)
 - B. Certification Regarding Lobbying (29 CFR Part 93 and 45 CFR Part 93)
 - C. Nondiscrimination & Equal Opportunity Assurance (29 CFR Part 37 and 45 CFR Part 80)
 - D. Certification Regarding Public Entity Crimes, section 287.133, F.S.
 - E. Association of Community Organizations for Reform Now (ACORN) Funding Restrictions Assurance (Pub. L. 111-117)
 - F. Certification Regarding Scrutinized Companies Lists, section 287.135, F.S.
- A. **CERTIFICATION REGARDING DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS – PRIMARY COVERED TRANSACTION.**

The undersigned Contractor certifies to the best of its knowledge and belief, that it and its principals:

1. Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by a Federal department or agency;
2. Have not within a three-year period preceding this Contract been convicted or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
3. Are not presently indicted or otherwise criminally or civilly charged by a government entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph A.2. of this certification; and/or
4. Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State, or local) terminated for cause of default.

- B. **CERTIFICATION REGARDING LOBBYING** – Certification for Contracts, Grants, Loans, and Cooperative Agreements.

The undersigned Contractor certifies, to the best of its knowledge and belief, that:

No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative

agreement, and the extension, continuation, renewal, amendment or modification of any Federal contract, grant, loan or cooperative agreement.

If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employees of Congress, or employee of a Member of Congress in connection with a Federal contract, grant, loan, or cooperative agreement, the undersigned shall also complete and submit Standard Form – LLL, “Disclosure Form of Lobbying Activities,” in accordance with its instructions.

The undersigned shall require that language of this certification be included in the documents for all subcontracts at all tiers (including subcontracts, sub-grants and contracts under grants, loans and cooperative agreements) and that all sub-recipients and contractors shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this Contract was made or entered into. Submission of this certification is a prerequisite for making or entering into this Contract imposed by 31 U.S.C. 1352. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

C. NON-DISCRIMINATION & EQUAL OPPORTUNITY ASSURANCE (29 CFR PART 37 AND 45 CFR PART 80).

As a condition of the Contract, Contractor assures that it will comply fully with the nondiscrimination and equal opportunity provisions of the following laws:

1. Section 188 of the Workforce Investment Act of 1998 (WIA), (Pub. L. 105-220), which prohibits discrimination against all individuals in the United States on the basis of race, color, religion, sex national origin, age, disability, political affiliation, or belief, and against beneficiaries on the basis of either citizenship/status as a lawfully admitted immigrant authorized to work in the United States or participation in any WIA Title I-financially assisted program or activity;
2. Title VI of the Civil Rights Act of 1964 (Pub. L. 88-352), as amended, and all requirements imposed by or pursuant to the Regulation of the Department of Health and Human Services (45 CFR Part 80), to the end that, in accordance with Title VI of that Act and the Regulation, no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the Applicant receives Federal financial assistance from the Department.
3. Section 504 of the Rehabilitation Act of 1973 (Pub. L. 93-112) as amended, and all requirements imposed by or pursuant to the Regulation of the Department of Health and Human Services (45 CFR Part 84), to the end that, in accordance with Section 504 of that Act, and the Regulation, no otherwise qualified handicapped individual in the United States shall, solely by reason of his handicap, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity for which the Applicant receives Federal financial assistance from the Department.
4. The Age Discrimination Act of 1975 (Pub. L. 94-135), as amended, and all requirements imposed by or pursuant to the Regulation of the Department of Health and Human Services (45 CFR Part 91), to the end that, in accordance with the Act and the Regulation, no person in the United States

shall, on the basis of age, be denied the benefits of, be excluded from participation in, or be subjected to discrimination under any program or activity for which the Applicant receives Federal financial assistance from the Department.

5. Title IX of the Educational Amendments of 1972 (Pub. L. 92-318), as amended, and all requirements imposed by or pursuant to the Regulation of the Department of Health and Human Services (45 CFR Part 86), to the end that, in accordance with Title IX and the Regulation, no person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any education program or activity for which the Applicant receives Federal financial assistance from the Department.
6. The American with Disabilities Act of 1990 (Pub. L. 101-336), prohibits discrimination in all employment practices, including, job application procedures, hiring, firing, advancement, compensation, training, and other terms, conditions, and privileges of employment. It applies to recruitment, advertising, tenure, layoff, leave, fringe benefits, and all other employment-related activities, and;

Contractor also assures that it will comply with 29 CFR Part 38 and all other regulations implementing the laws listed above. This assurance applies to Contractor's operation of the WIA Title I – financially assisted program or activity, and to all agreements Contractor makes to carry out the WIA Title I – financially assisted program or activity. Contractor understands that DEO and the United States have the right to seek judicial enforcement of the assurance.

D. CERTIFICATION REGARDING PUBLIC ENTITY CRIMES, SECTION 287.133, F.S.

Contractor hereby certifies that neither it, nor any person or affiliate of Contractor, has been convicted of a Public Entity Crime as defined in section 287.133, F.S., nor placed on the convicted vendor list.

Contractor understands and agrees that it is required to inform DEO immediately upon any change of circumstances regarding this status.

E. ASSOCIATION OF COMMUNITY ORGANIZATIONS FOR REFORM NOW (ACORN) FUNDING RESTRICTIONS ASSURANCE (Pub. L. 111-117).

As a condition of the Contract, Contractor assures that it will comply fully with the federal funding restrictions pertaining to ACORN and its subsidiaries per the Consolidated Appropriations Act, 2010, Division E, Section 511 (Pub. L. 111-117). The Continuing Appropriations Act, 2011, Sections 101 and 103 (Pub. L. 111-242), provides that appropriations made under Pub. L. 111-117 are available under the conditions provided by Pub. L. 111-117.

The undersigned shall require that language of this assurance be included in the documents for all subcontracts at all tiers (including subcontracts, sub-grants and contracts under grants, loans and cooperative agreements) and that all Recipient and/or Subrecipients and contractors shall provide this assurance accordingly.

F. SCRUTINIZED COMPANIES LISTS CERTIFICATION, SECTION 287.135, F.S.

If this Contract is in the amount of \$1 million or more, in accordance with the requirements of section 287.135, F.S., Contractor hereby certifies that it is not listed on either the Scrutinized Companies with Activities in Sudan List or the Scrutinized Companies with Activities in the Iran Petroleum Energy Sector List. Both lists are created pursuant to section 215.473, F.S.

Contractor understands that pursuant to section 287.135, F.S., the submission of a false certification may subject Contractor to civil penalties, attorney's fees, and/or costs.

If Contractor is unable to certify to any of the statements in this certification, Contractor shall attach an explanation to this Contract.

By signing below, Contractor certifies the representations outlined in parts A through F above are true and correct.



Vice President

(Signature and Title of Authorized Representative)

The North Highland Company, LLC 3/22/2022

Contractor Date

3800 Esplanade Way Suite 160

(Street)

Tallahassee, Florida 32311

(City, State, ZIP Code)

- End of Attachment 2 -

Attachment 3

State and Federal Statutes, Regulations, and Policies

The Contractor agrees to, and, by signing this Contract, certifies that, it shall comply with all applicable Federal, State and local laws, regulations, and policies governing the funds provided under this Contract, including, but not limited to the following:

1. Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, 2 C.F.R. Part 200;
2. Universal Identifier and System for Award Management (SAM), 2 C.F.R. Part 25;
3. Reporting Subaward and Executive Compensation Information, 2 C.F.R. Part 170;
4. OMB Guidelines to Agencies on Governmentwide Debarment and Suspension (Nonprocurement), 2 C.F.R. Part 180 (including the requirement to include a term or condition in all lower tier covered transactions (contracts and subcontracts described in 2 C.F.R. Part 180, subpart B) that the award is subject to 2 C.F.R. Part 180 and Treasury's implementing regulation at 31 C.F.R. Part 19);
5. Governmentwide Requirements for Drug-Free Workplace, 31 C.F.R. Part 20; and
6. New Restrictions on Lobbying, 31 C.F.R. Part 21.

- End of Attachment 3 -

From: Kelly, Alex [Alex.Kelly@eog.myflorida.com]
Sent: Thursday, March 24, 2022 5:36 PM
To: Ivey, Meredith [Meredith.Ivey@deo.myflorida.com]; Coyle, Frances [Frances.Coyle@LASPBS.STATE.FL.US]; Weller, Molly [Molly.Weller@LASPBS.STATE.FL.US]; Pollins, Stu [Stu.Pollins@LASPBS.STATE.FL.US]
CC: Eagle, Dane [Dane.Eagle@deo.myflorida.com]; Callaway, Adam [Adam.Callaway@deo.myflorida.com]; DiNapoli, Michael [Michael.DiNapoli@deo.myflorida.com]; Moriak, Allyce [Allyce.Moriak@deo.myflorida.com]
Subject: RE: for review - HAF contract with new Prime vendor
Attachments: Prime Vendor Workplan3.23.2022.docx; HAF Prime VendorC3341_1 03222022.pdf

I'm good.

J. Alex Kelly
Deputy Chief of Staff
Executive Office of the Governor
(850) 443-8626
alex.kelly@eog.myflorida.com

From: Ivey, Meredith <Meredith.Ivey@deo.myflorida.com>
Sent: Thursday, March 24, 2022 8:45 AM
To: Kelly, Alex <Alex.Kelly@eog.myflorida.com>; Coyle, Frances <Frances.Coyle@LASPBS.STATE.FL.US>; Weller, Molly <Molly.Weller@LASPBS.STATE.FL.US>; Pollins, Stu <Stu.Pollins@LASPBS.STATE.FL.US>
Cc: Eagle, Dane <Dane.Eagle@deo.myflorida.com>; Callaway, Adam <Adam.Callaway@deo.myflorida.com>; DiNapoli, Michael <Michael.DiNapoli@deo.myflorida.com>; Moriak, Allyce <Allyce.Moriak@deo.myflorida.com>
Subject: for review - HAF contract with new Prime vendor

Good morning Alex, Frances, Stu, and Molly,

Attached for your review and approval is DEO's proposed contract with the newly-selected Prime Vendor for the Homeowner Assistance Fund (HAF). The supplemental attachment is an outline of the work plan reflected within the contract and the projected cost for each deliverable.

As you know, DEO has handled the Pilot Program; collaboration agreements with utility companies, U.S. Bank, and Citizens; and the recent kick-off of the pre-registration process, webpage, and portal, utilizing agency resources and staff. We are excited to build on these efforts upon execution of this new agreement.

We are happy to answer any questions you might have.

Thank you,
Meredith Ivey
Chief of Staff

Florida Department of Economic Opportunity

Office: 850-245-7153

Email: Meredith.lvey@deo.myflorida.com

www.FloridaJobs.org



This email communication may contain confidential information protected from disclosure by privacy laws and is intended for the use of the individual named above. If the reader of this message is not the intended recipient, this is notice to you that any dissemination, distribution or copying of this communication or any attachment to it may be a violation of federal and state privacy laws. If you have received this email in error, please notify the sender immediately by return email and delete this message. Please note that Florida has a broad public records law, and that all correspondence to me via email may be subject to disclosure. Under Florida law email addresses are public records.

Homeowner Assistance Fund Prime Vendor Contract Workplan



Contract Amt.	\$ 74,548,290
Effective Date	March 25, 2022 Contract Execution
Subcontractors	<ul style="list-style-type: none"> • Horne • Indelible Solutions • Faneuil
Deliverables & Costs	<ol style="list-style-type: none"> 1. Comprehensive Outreach Plan (COP) - \$752,270 2. Execution of COP - \$11,718,520 3. Intake and Call Center Standup - \$15,226,080 4. Intake and Case Management Processing - \$41,050,000 5. Payment Disbursement - \$5,801,420
Workplan & Timeline	<ol style="list-style-type: none"> 1. <u>Comprehensive Outreach Plan Development(COP)</u> Start Work: March 25, 2022 Complete Work: no later than April 28, 2022 <i>(contract SOW 45 days following execution) (subject to DEO feedback and revisions)</i> 2. <u>Execution of Comprehensive Outreach Plan (COP)</u> Start Work: upon approval of COP by DEO Complete Work: until funds are encumbered or disbursed 3. <u>Intake and Call Center Standup</u> Start Work: Immediately- Upon approval of COP by DEO <i>(the standup process and timelines will be detailed in the final COP)</i> Complete Work: until funds are encumbered or disbursed <ol style="list-style-type: none"> 3.a. <u>HAF Program Materials to include Operating Manual</u> Start Work: March 14, 2022 with Operating Manual currently in process Complete Work: no later than April 28, 2022 <i>(contract SOW 45 days following execution) (subject to DEO feedback and revisions)</i> 4. <u>Intake and Case Management Processing</u> Daily Minimum Requirements: approximately June 26, 2022 <i>(45 days following last day to submit COP) (subject to the approval of COP and HAF Materials and subject to DEO feedback and revisions)</i> Intake and Case Management will begin immediately following contract execution as we transition HAF Pilot into HAF Retail, as well as providing training for Prime Vendor to meet the daily minimums required by June 12. Complete Work: until funds are encumbered or disbursed 5. <u>Payment Disbursement</u> HAF Payments: Immediately. Per contract no later than June 26, 2022 <i>(45 days following DEO acceptance of COP) (subject to the approval of COP and HAF Materials and subject to DEO feedback and revisions)</i> Complete Work: until funds are encumbered or disbursed There is an expectation that payment disbursement will continue as we transition the HAF Pilot to HAF Retail.

**CONTRACT
STATE OF FLORIDA
DEPARTMENT OF ECONOMIC OPPORTUNITY**

THIS CONTRACT (“Contract”) is made and entered into by and between the State of Florida, Department of Economic Opportunity (“DEO”), and THE NORTH HIGHLAND COMPANY LLC (“Contractor”). DEO and Contractor are sometimes referred to herein individually as a “Party” and collectively as “the Parties.”

I. CONTRACTOR AGREES:

A. Attachment 1, Scope of Work:

Contractor agrees to provide the goods and/or services in accordance with the conditions and criteria specified herein, and in Attachment 1, Scope of Work.

B. Type of Contract:

This Contract is a Fixed Rate and Cost Reimbursement Contract.

C. Contract Dates:

This Contract shall become effective on the date last signed by the Parties and shall remain in effect through January 31, 2025, unless extended or terminated as provided for herein. DEO shall not be obligated to pay for costs incurred related to this Contract prior to its beginning date or after its ending date.

D. Contract Payment:

This Contract shall not exceed seventy-four million, five hundred forty-eight thousand, two hundred ninety dollars and zero cents **\$74,548,290** which shall be paid by DEO in consideration for Contractor’s provision of goods and/or services as set forth by the terms and conditions of this Contract. The State of Florida and DEO’s performance and obligation to pay under this Contract is contingent upon an annual appropriation by the Legislature and availability of any and all applicable federal funds. DEO shall be the final authority as to the availability of funds for this Contract, and as to what constitutes an “annual appropriation” of funds to complete this Contract. If such funds are not appropriated or available for the Contract purpose, such event will not constitute a default on DEO or the State. DEO agrees to notify Contractor in writing at the earliest possible time if funds are not appropriated or available. The cost for services rendered under any other Contract or to be paid from any other source is not eligible for reimbursement under this Contract.

E. Requirements of paragraphs (a) – (i) of subsection 287.058(1), Florida Statutes (F.S.):

1. Contractor shall submit bills for fees or other compensation for services or expenses in sufficient detail for a proper pre-audit and post-audit thereof.
2. If travel expenses are authorized, Contractor shall submit bills for such travel expenses and shall be reimbursed only in accordance with section 112.061, F.S.

3. Contractor shall allow public access to all documents, papers, letters or other materials made or received by Contractor in conjunction with this Contract, unless the records are exempt from section 24(a) of Article I of the State Constitution and section 119.07(1), F.S. It is expressly understood that DEO may unilaterally cancel this Contract for Contractor's refusal to comply with this provision.
4. Contractor shall perform all tasks contained in Attachment 1, Scope of Work.
5. Receipt by Contractor of DEO's written acceptance of the units of deliverables specified herein is a condition precedent to payment under this Contract and is contingent upon Contractor's compliance with the specified performance measure (i.e., each deliverable must satisfy at least the minimum acceptable level of service specified in the Scope of Work and DEO shall apply the applicable criteria stated in the Scope of Work to determine satisfactory completion of each deliverable).
6. Contractor shall comply with the criteria and final date by which such criteria must be met for completion of this Contract.
7. **Renewal and Extension:** This Contract may not be renewed. Extension of the contract shall be at DEO's sole discretion and in compliance with section 287.057(12), F.S.
8. If Contractor fails to perform in accordance with the Contract, DEO shall apply the financial consequences specified herein.
9. Unless otherwise agreed in writing, intellectual property rights to preexisting property will remain with Contractor; whereas, intellectual property rights to all property created or otherwise developed by Contractor in performance of this Agreement will be owned by the State of Florida through DEO. Proceeds derived from the sale, licensing, marketing, or other authorization related to any such DEO-controlled intellectual property right shall be handled in the manner specified by applicable state statute.

F. Governing Laws:

1. State of Florida Law:

- a. Contractor agrees that this Contract is executed and entered into in the State of Florida, and shall be construed, performed, and enforced in all respects in accordance with the laws, rules, and regulations of the State of Florida. Each Party shall perform its obligations herein in accordance with the terms and conditions of the Contract. Without limiting the provisions of Section II.D., Dispute Resolution, the exclusive venue of any legal or equitable action that arises out of or relates to the Contract shall be the appropriate state court in Leon County, Florida; in any such action, the Parties waive any right to jury trial. For avoidance of doubt, should any term of this Contract conflict with any applicable law, rule, or regulation, the law, rule, or regulation shall control over the provisions of this Contract.

- b. If applicable, Contractor agrees that it is in compliance with the rules for e-procurement as directed by Rule 60A-1.033, F.A.C. and that it will maintain eligibility for this Contract through the MyFloridaMarketplace.com system.
- c. DEO shall ensure compliance with section 11.062, F.S., and section 216.347, F.S. Contractor shall not, in connection with this or any other agreement with the State, directly or indirectly: (1) offer, confer, or agree to confer any pecuniary benefit on anyone as consideration for any State officer or employee's decision, opinion, recommendation, vote, other exercise of discretion, or violation of a known legal duty; or (2) offer, give, or agree to give to anyone any gratuity for the benefit of, or at the direction or request of, any State officer or employee. For purposes of clause (2), "gratuity" means any payment of more than nominal monetary value in the form of cash, travel, entertainment, gifts, meals, lodging, loans, subscriptions, advances, deposits of money, services, employment, or contracts of any kind. Upon request of DEO's Inspector General, or other authorized State official, Contractor shall provide any type of information the Inspector General deems relevant to Contractor's integrity or responsibility. Such information may include, but shall not be limited to, Contractor's business or financial records, documents, or files of any type or form that refer to or relate to this Contract. Contractor shall retain such records for the longer of: (1) five years after the expiration of the Contract; or (2) the period required by the General Records Schedules maintained by the Florida Department of State available at:
http://dhis.dos.state.fl.us/recordsmgmt/gen_records_schedules.cfm.
- d. Contractor agrees to reimburse the State for the reasonable costs of investigation incurred by the Inspector General or other authorized State official for investigations of Contractor's compliance with the terms of this or any other agreement between Contractor and the State which results in the suspension or debarment of Contractor. Such costs shall include, but shall not be limited to: salaries of investigators, including overtime; travel and lodging expenses; and expert witness and documentary fees. Contractor shall not be responsible for any costs of investigations that do not result in Contractor's suspension or debarment. Contractor understands and will comply with the requirements of subsection 20.055(5), F.S., including but not necessarily limited to, the duty of Contractor and any of Contractor's subcontractors to cooperate with the inspector general in any investigation, audit, inspection, review, or hearing pursuant to section 20.055, F.S.
- e. **Public Entity Crime:** Pursuant to subsection 287.133(2)(a), F.S., a person or affiliate who has been placed on the convicted vendor list following a conviction for a public entity crime may not submit a bid, proposal, or reply on a contract to provide any goods or services to a public entity; may not submit a bid, proposal, or reply on a contract with a public entity for the construction or repair of a public building or public work; may not submit bids, proposals, or replies on leases of real property to a public entity; may not be awarded or perform work as a contractor, supplier, subcontractor or consultant under a contract with any public entity and may not transact business with any public entity in excess of the threshold amount provided in section 287.017, F.S., for **Category Two** for a period of thirty-six (36) months from the date of being placed on the convicted vendor list. Furthermore, Contractor will complete and provide the certification in Attachment 2.

- f. Advertising:** Subject to chapter 119, F.S., Contractor shall not publicly disseminate any information concerning the Contract without prior written approval from DEO, including, but not limited to mentioning the Contract in a press release or other promotional material, identifying DEO or the State as a reference, or otherwise linking Contractor's name and either a description of the Contract or the name of DEO or the State in any material published, either in print or electronically, to any entity that is not a Party to the Contract, except potential or actual authorized distributors, dealers, resellers, or service representatives.
- g. Sponsorship:** As required by section 286.25, F.S., if Contractor is a nongovernmental organization which sponsors a program financed wholly or in part by state funds, including any funds obtained through this Contract, it shall, in publicizing, advertising, or describing the sponsorship of the program, state: "Sponsored by (Contractor's name) and the State of Florida, Department of Economic Opportunity." If the sponsorship reference is in written material, the words "State of Florida, Department of Economic Opportunity" shall appear in the same size letters or type as the name of the organization.
- h. Mandatory Disclosure Requirements:**
- (1) Conflict of Interest:** This Contract is subject to chapter 112, F.S. Contractors shall disclose the name of any officer, director, employee, or other agent who is also an employee of the State. Contractors shall also disclose the name of any State employee who owns, directly or indirectly, more than a five percent (5%) interest in Contractor or its affiliates.
- (2) Convicted Vendors:** Contractor shall disclose to DEO if it, or any of its affiliates, as defined in section 287.133(1)(a) of the Florida Statutes, is on the convicted vendor list. A person or affiliate placed on the convicted vendor list following a conviction for a public entity crime is prohibited from doing any of the activities listed in Section I.F.1.e. above for a period of thirty-six (36) months from the date of being placed on the convicted vendor list.
- (3) Vendors on Scrutinized Companies Lists:** In executing this Contract, Contractor certifies that it is not listed on the Scrutinized Companies that Boycott Israel List created pursuant to section 215.4725, F.S., or is engaged in a boycott of Israel, that it is not listed on either the Scrutinized Companies with Activities in Sudan List or the Scrutinized Companies with Activities in the Iran Petroleum Energy Sector List, created pursuant to section 215.473, F.S., engaged in business operations in Cuba or Syria, or engaged in business operations with the government of Venezuela.
- (a) Pursuant to section 287.135(5), F.S., DEO may immediately terminate this Contract for cause if Contractor is found to have submitted a false certification or if Contractor is placed on the Scrutinized Companies that Boycott Israel List, or is engaged in boycott of Israel or placed on the Scrutinized Companies with Activities in Sudan List, the Scrutinized Companies with Activities in the Iran Petroleum Energy Sector List, has been engaged in business operations in Cuba Syria, or Venezuela, during the term of the Contract.

(b) If DEO determines that Contractor has submitted a false certification, DEO will provide written notice to Contractor. Unless Contractor demonstrates in writing, within ninety (90) days of receipt of the notice, that DEO's determination of false certification was made in error, DEO shall bring a civil action against Contractor. If DEO's determination is upheld, a civil penalty equal to the greater of \$2 million or twice the amount of this Contract shall be imposed on Contractor, and Contractor will be ineligible to bid on any contract with an agency or local governmental entity for three (3) years after the date of DEO's determination of false certification by Contractor.

(c) In the event that federal law ceases to authorize the states to adopt and enforce the contracting prohibition identified herein, this provision shall be null and void.

(4) Discriminatory Vendors: Contractor shall disclose to DEO if it or any of its affiliates, as defined by section 287.134(1)(a.), F.S., appears on the discriminatory vendor list. An entity or affiliate placed on the discriminatory vendor list pursuant to section 287.134, F.S. may not:

(a) submit a bid, proposal, or reply on a contract or agreement to provide any goods or services to a public entity;

(b) submit a bid, proposal, or reply on a contract or agreement with a public entity for the construction or repair of a public building or public work;

(c) submit bids, proposals, or replies on leases of real property to a public entity;

(d) be awarded or perform work as a contractor, supplier, sub-contractor, or consultant under a contract or agreement with any public entity; or

(e) transact business with any public entity.

i. Abuse, Neglect, and Exploitation Incident Reporting:

In compliance with sections 39.201 and 415.1034, F.S., an employee of Contractor who knows or has reasonable cause to suspect that a child, aged person, or disabled adult is or has been abused, neglected, or exploited shall immediately report such knowledge or suspicion to the Florida Abuse Hotline by calling 1-800-96ABUSE, or via the web reporting option at <http://www.dcf.state.fl.us/abuse/report/>, or via fax at 1-800-914-0004.

j. Information Release

(1) Contractor shall keep and maintain public records required by DEO to perform Contractor's responsibilities hereunder. Contractor shall, upon request from DEO's custodian of public records, provide DEO with a copy of the requested records or allow the records to be inspected or copied within a reasonable time per the cost structure provided in chapter 119, F.S., and in accordance with all other requirements of chapter 119, F.S., or as otherwise provided by law. Upon expiration or termination of this Contract, Contractor shall transfer, at no cost, to DEO all public records in

possession of Contractor or keep and maintain public records required by DEO to perform the service. If the Contractor keeps and maintains public records upon completion of the Contract, the Contractor shall meet all applicable requirements for retaining public records. All records stored electronically must be provided to DEO, upon request from the DEO's custodian of records, in a format that is compatible with the information technology systems of DEO.

- (2)** If DEO does not possess a record requested through a public records request, DEO shall notify the Contractor of the request as soon as practicable, and Contractor must provide the records to DEO or allow the records to be inspected or copied within a reasonable time. If Contractor does not comply with DEO's request for records, DEO shall enforce the provisions set forth in this Contract. A Contractor who fails to provide public records to DEO within a reasonable time may be subject to penalties under section 119.10, F.S.
- (3)** DEO does not endorse any contractor, commodity or service. No public disclosure or news release pertaining to this Contract shall be made without the prior written approval of DEO. Contractor is prohibited from using contract information, sales values/volumes and/or DEO customers in sales brochures or other promotions, including press releases, unless prior written approval is obtained from DEO.
- (4)** Contractor acknowledges that DEO is subject to the provisions of chapter 119, F.S., relating to public records and that reports, invoices, and other documents Contractor submits to DEO under this Contract may constitute public records under Florida Statutes. Contractor shall cooperate with DEO regarding DEO's efforts to comply with the requirements of chapter 119, F.S.
- (5)** If Contractor submits records to DEO that are confidential and exempt from public disclosure as trade secrets or proprietary confidential business information, such records should be identified as such by Contractor prior to submittal to DEO. Failure to identify the legal basis for confidentiality/exemption from the requirements of chapter 119, F.S., prior to submittal of the record to DEO serves as Contractor's waiver of a claim of confidentiality/exemption. Contractor shall ensure that public records that are exempt or confidential and exempt from public records disclosure requirements are not disclosed except as authorized by law for the duration of the Contract term and following completion of the Contract if the Contractor does not transfer the records to DEO upon termination of the Contract.
- (6)** Contractor shall allow public access to all records made or received by Contractor in conjunction with this Contract, unless the records are exempt from section 24(a) of Article I of the State Constitution and section 119.07(1), F.S. For records made or received by Contractor in conjunction with this Contract, Contractor shall respond to requests to inspect or copy such records in accordance with chapter 119, F.S.
- (7)** In addition to Contractor's responsibility to directly respond to each request it receives for records made or received by Contractor in conjunction with this Contract and to provide the applicable public records in response to such request, Contractor shall notify DEO of the receipt and content of such request by sending an e-mail to

PRRequest@deo.myflorida.com within one (1) business day from receipt of such request.

(8) Contractor shall notify DEO verbally within twenty-four (24) chronological hours and in writing within seventy-two (72) chronological hours if any data in Contractor's possession related to this Contract is subpoenaed or improperly used, copied, or removed (except in the ordinary course of business) by anyone except an authorized representative of DEO. Contractor shall cooperate with DEO in taking all steps as DEO deems advisable to prevent misuse, regain possession, and/or otherwise protect the State's rights and the data subject's privacy.

(9) IF THE CONTRACTOR HAS QUESTIONS REGARDING THE APPLICATION OF CHAPTER 119, FLORIDA STATUTES, TO THE CONTRACTOR'S DUTY TO PROVIDE PUBLIC RECORDS RELATING TO THIS CONTRACT, CONTACT THE CUSTODIAN OF PUBLIC RECORDS by telephone at 850-245-7140, via e-mail at PRRequest@deo.myflorida.com, or by mail at Department of Economic Opportunity, Public Records Coordinator, 107 East Madison Street, Caldwell Building, Tallahassee, Florida 32399-4128.

k. **Funding Requirements.** Intentionally Blank.

2. Federal Law and Regulations:

- a. Contractor shall ensure that all its activities under this Contract shall be conducted in conformance with these provisions, as applicable: 45 C.F.R. Part 75, 29 C.F.R. Part 95, 2 CFR Part 200, 20 CFR Part 601, *et seq.*, and all other applicable federal regulations.
- b. Contractor shall comply with all applicable federal laws, including but not limited to:
 - (1) The Temporary Assistance for Needy Families Program ("TANF"), 45 CFR Parts 260-265, the Social Services Block Grant ("SSBG"), 42 U.S.C. 1397d, and other applicable federal regulations and policies promulgated thereunder.
 - (2) Title VI of the Civil Rights Act of 1964, as amended, 42 U.S.C. 2000d, *et seq.*, which prohibits discrimination on the basis of race, color or national origin.
 - (3) Section 504 of the Rehabilitation Act of 1973, as amended, 29 U.S.C. 794, which prohibits discrimination on the basis of disability.
 - (4) Title IX of the Education Amendments of 1972, as amended, 20 U.S.C. 1681, *et seq.*, which prohibits discrimination on the basis of sex in educational programs.
 - (5) The Age Discrimination Act of 1975, as amended, 42 U.S.C. 6101, *et seq.*, which prohibits discrimination on the basis of age.
 - (6) Section 654 of the Omnibus Budget Reconciliation Act of 1981, as amended, 42 U.S.C. 9849, which prohibits discrimination on the basis of race, creed, color, national origin, sex, handicap, political affiliation or beliefs.

- (7)** The American with Disabilities Act of 1990, Public Law 101-336, which prohibits discrimination on the basis of disability and requires reasonable accommodation for persons with disabilities.
- (8)** The Pro-Children Act: Contractor agrees to comply with the Pro-Children Act of 1994, 20 U.S.C. 6083. Failure to comply with the provisions of the law may result in the imposition of civil monetary penalty up to \$1,000 for each violation and/or the imposition of an administrative compliance order on the responsible entity. This clause is applicable to all approved sub-contracts. In compliance with Public Law (Pub. L.) 103-277, the Contract shall not permit smoking in any portion of any indoor facility used for the provision of federally funded services including health, day care, early childhood development, education or library services on a routine or regular basis, to children up to age 18.
- (9)** The Davis-Bacon Act, as amended, 40 U.S.C. 276a to 276a-7, and as supplemented by the Department of Labor (DOL) regulations 29 CFR Part 5, the Copeland Anti-Kickback Act, 40 U.S.C. 276c and 18 U.S.C. 874, as supplemented by the DOL regulations 29 CFR Part 3, and the Contract Work Hours and Safety Standards Act, 40 U.S.C. 327-333, as supplemented by the DOL regulations 29 CFR Part 5, regarding labor standards for federally assisted construction subagreements.
- (10)** The Clean Air and Water Act: If this Contract is in excess of \$100,000, Contractor shall comply with all applicable standards, orders or regulations issued under the Clean Air Act, as amended, 42 U.S.C. 7401, Section 508 of the Clean Water Act, as amended, 33 U.S.C. 1368, *et seq.*, Executive Order 11738 and Environmental Protection Agency regulations. Contractor shall report any violation of the above to DEO.
- (11)** Energy Efficiency: Contractor shall comply with mandatory standards and policies relating to energy efficiency which are contained in the State of Florida's energy conservation plan issued in compliance with the Energy Policy and Conservation Act, Pub. L. 94-163.
- (12)** The Byrd Anti-Lobbying Amendment (31 U.S.C. 1352: Contractors who apply or bid for an award of \$100,000 or more shall file the required certification (see Certification Regarding Lobbying Form within Attachment 2 of this Contract). Each tier certifies to the tier above that it will not and has not used Federal appropriated funds to pay any person or organization for influencing or attempting to influence an officer or employee of any agency, a member of Congress, officer or employee of Congress, or an employee of a member of Congress in connection with obtaining any federal contract, grant or any other award covered by 31 U.S.C. 1352. Each tier shall also disclose any lobbying with non-federal funds that takes place in connection with obtaining any federal award. Such disclosures are forwarded from tier to tier up to the recipient.
- (13)** Debarment and Suspension: When applicable, as required by the regulation implementing Executive Order (EO) No. 12549 and EO No. 12689, Debarment and Suspension, 2 CFR Part 2998, Contractor must not be, nor within the three-year

period preceding the effective date of the Contract have been, debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any federal department or agency. No contract shall be awarded to parties listed on the U. S. Government Services Administration List of Parties Excluded from Federal Procurement or Non-Procurement Programs. Contractor must provide a completed Certification Regarding Debarment, Suspension, and Other Responsibility Matters, included in Attachment 2 of this Contract.

- (14)** Public Announcements and Advertising: When issuing statements, press releases, requests for proposals, bid solicitations and other documents describing projects or programs funded in whole or in part with federal money, Contractor shall clearly state (1) the percentage of the total costs of the program or project which will be financed with federal money, (2) the dollar amount of federal funds for the project or program, and (3) percentage and dollar amount of the total costs of the project or program that will be financed by nongovernmental sources.
- (15)** Purchase of American-Made Equipment and Products: Contractor assures that, to the greatest extent practicable, all equipment and products purchased with funds made available under this Agreement will be American-made.
- (16)** Equal Treatment for Faith-Based Organizations. Prohibits any State or local government receiving funds under any Department program, or any intermediate organization with the same duties as a governmental entity, from discriminating for or against an organization on the basis of the organization's religious character or affiliation. Prohibits religious organizations from engaging in inherently religious activities, such as worship, religious instruction, or proselytization, as part of the programs or services funded with direct financial assistance. Prohibits an organization that participates in programs funded by direct financial assistance from the Department, in providing services, from discriminating against a program beneficiary or prospective program beneficiary on the basis of religion or religious belief. Any restrictions on the use of grant funds shall apply equally to religious and non-religious organizations.
- (17)** Rights to Inventions Made Under Contract or Agreement: Contracts or agreements for the performance of experimental, development, or research work shall provide for the rights of the Federal Government and Contractor in any resulting invention in accordance with 37 CFR Part 401, "Rights to Inventions Made by Nonprofit Organizations and Small Business Firms Under Government Grants, Contract and Cooperative Agreements," and any implementing regulations issued by the awarding agency.
- (18)** The Consolidated Appropriations Act, 2010, Division E, Section 511 (Pub. L. 111-117), which prohibits distribution of federal funds made available under the Act to the Association of Community Organizations for Reform Now (ACORN) or its subsidiaries. The Continuing Appropriations Act, 2011, Sections 101 and 103 (Pub. L. 111-242), provides that appropriations made under Pub. L. 111-117 are available under the conditions provided by Pub. L. 111-117.

- (19)** E.O. 11246, “Equal Employment Opportunity,” as amended by E.O. 11375, “Amending Executive Order 11246 Relating to Equal Employment Opportunity,” and as supplemented by regulations at 41 CFR Part 60, “Office of Federal Contract Compliance Programs, Equal Employment Opportunity, Department of Labor.
- (20)** Contract Work Hours and Safety Standards Act (40 U.S.C. §327–333) — If this Contract involves federal funding in excess of \$2,000 for construction contracts or in excess of \$2,500 for other contracts that involve the employment of mechanics or laborers, compliance with sections 102 and 107 of the Contract Work Hours and Safety Standards Act (40 U.S.C. 327–333), as supplemented by Department of Labor regulations (29 CFR Part 5) is required. Under section 102 of the Act, each contractor shall be required to compute the wages of every mechanic and laborer on the basis of a standard work week of 40 hours. Work in excess of the standard work week is permissible provided that the worker is compensated at a rate of not less than 1 ½ times the basic rate of pay for all hours worked in excess of 40 hours in the work week. Section 107 of the Act is applicable to construction work and provides that no laborer or mechanic shall be required to work in surroundings or under working conditions which are unsanitary, hazardous or dangerous. These requirements do not apply to the purchases of supplies or materials or articles ordinarily available on the open market, or contracts for transportation or transmission of intelligence.
- (21)** Resource Conservation and Recovery Act (RCRA). Under RCRA (Pub. L. 94–580 codified at 42 U.S.C. 6962), state and local institutions of higher education, hospitals, and non-profit organizations that receive direct Federal awards or other Federal funds shall give preference in their procurement programs funded with Federal funds to the purchase of recycled products pursuant to the EPA guidelines.
- (22)** Immigration Reform and Control Act. Contractor shall comply with the requirements of the Immigration Reform and Control Act of 1986, which requires employment verification and retention of verification forms for any individuals hired who will perform any services under the contract.

G. Contractor Payments:

- 1.** Contractor will provide DEO’s Contract Manager invoices in accordance with the requirements of the State of Florida Guide for State Expenditures (http://www.myfloridacfo.com/aadir/reference_guide/) with detail sufficient for a proper pre-audit and post-audit thereof. Invoices must also comply with the following:

 - a.** Invoices must be legible and must clearly reflect the goods/services that were provided in accordance with the terms of the Contract for the invoice period. Payment does not become due under the Contract until the invoiced deliverable(s) and any required report(s) are approved and accepted by DEO.
 - b.** Invoices must contain Contractor’s name, address, federal employer identification number or other applicable Contractor identification number, the Contract number, the invoice number, and the invoice period. DEO or the State may require any additional

information from Contractor that DEO or the State deems necessary to process an invoice.

- c. Invoices must be submitted in accordance with the time requirements specified in the Scope of Work.
2. At DEO's or the State's option, Contractor may be required to invoice electronically pursuant to guidelines of the Department of Management Services. Current guidelines require that Contractor supply electronic invoices in lieu of paper-based invoices for those transactions processed through the system. Electronic invoices shall be submitted to the DEO Contract Manager through the Subrecipient Enterprise Resource Application (SERA) in one of the following mechanisms – EDI 810, cXML, or web-based invoice entry within the SERA.
3. Payment shall be made in accordance with section 215.422, F.S., Rule 69I-24, F.A.C., and section 287.0585, F.S., which govern time limits for payment of invoices. Section 215.422, F.S., provides that agencies have five (5) working days to inspect and approve goods and services unless the solicitation documents or the Contract Scope of Work specify otherwise. DEO has twenty (20) days to deliver a request for payment (voucher) to the Department of Financial Services. The twenty (20) days are measured from the latter of the date the invoice is received or the goods or services are received, inspected and approved. The Scope of Work may specify conditions for retainage. Invoices returned to a Contractor due to preparation errors will result in a delay of payment. Invoice payment requirements do not start until a properly completed invoice is provided to DEO. DEO is responsible for all payments under the Contract.
4. Section 55.03(1), F.S., identifies the process applicable to the determination of the rate of interest payable on judgments and decrees, and pursuant to section 215.422(3)(b), F.S., this same process applies to the determination of the rate of interest applicable to late payments to vendors for goods and services purchased by the State and for contracts which do not specify a rate of interest. The applicable rate of interest is published at:

<http://www.myfloridacfo.com/aadir/interest.htm>

H. Final Invoice:

Contractor shall submit the final invoice for payment to DEO no later than **60** days after the Contract ends or is terminated. If Contractor fails to do so, DEO, in its sole discretion, may refuse to honor any requests submitted after this time period and may consider Contractor to have forfeited any and all subsequent rights to payment under this Contract.

I. Return or Recoupment of Funds:

1. Contractor shall return to DEO any overpayments due to unearned funds or funds disallowed pursuant to the terms of this Contract that were disbursed to Contractor by DEO. In the event Contractor or its independent auditor discovers that overpayment has been made, Contractor shall repay said overpayment within forty (40) calendar days without prior notification from DEO. In the event DEO first discovers an overpayment has been made, DEO will notify Contractor by letter. Should repayment not be made in a timely manner, DEO shall be entitled to charge interest at the lawful rate of interest on the outstanding balance beginning forty

(40) calendar days after the date of notification or discovery. Refunds should be sent to DEO Contract Manager, and made payable to the "Department of Economic Opportunity."

2. Notwithstanding the damages limitations of Section II.F. or any provision herein to the contrary, if Contractor's non-compliance with any provision of the Contract results in additional cost or monetary loss to DEO or the State of Florida, DEO can recoup that cost or loss from monies owed to Contractor under this Contract or any other contract between Contractor and any State entity. In the event the discovery of this cost or loss arises when no monies are available under this Contract or any other contract between Contractor and any State entity, Contractor will repay such cost or loss in full to DEO within thirty (30) days of the date of notice of the amount owed, unless DEO agrees, in writing, to an alternative timeframe.

J. Vendor Ombudsman:

A Vendor Ombudsman has been established within the Department of Financial Services. The duties of this individual include acting as an advocate for vendors who may be experiencing problems in obtaining timely payment(s) from a state agency. The Vendor Ombudsman may be contacted at (850) 413-5516 or by calling the Chief Financial Officer's Hotline, (800) 342-2762.

K. Audits and Records:

1. Representatives of DEO, the Chief Financial Officer of the State of Florida, the Auditor General of the State of Florida, the Florida Office of Program Policy Analysis and Government Accountability or representatives of the federal government and their duly authorized representatives shall have access to any of Contractor's books, documents, papers, and records, including electronic storage media, as they may relate to this Contract, for the purposes of conducting audits or examinations or making excerpts or transcriptions.
2. Contractor shall maintain books, records, and documents in accordance with generally accepted accounting procedures and practices which sufficiently and properly reflect all expenditures of funds provided by DEO under this Contract.
3. Contractor will provide a financial and compliance audit to DEO, if applicable, and ensure that all related party transactions are disclosed to the auditor.
4. Contractor shall retain all Contractor records, financial records, supporting documents, statistical records, and any other documents (including electronic storage media) pertinent to this Contract for a period of five (5) state fiscal years after completion or termination of this Contract, or if an audit has been initiated and audit findings have not been resolved at the end of five (5) state fiscal years, the records shall be retained until resolution of the audit findings through litigation or otherwise. Contractor shall cooperate with DEO to facilitate the duplication and transfer of such records or documents upon request of DEO. Additional federal requirements may be identified in Attachment 1, Scope of Work.
5. Contractor shall include the aforementioned audit and record keeping requirements in all approved subcontracts and assignments.

L. Employment Eligibility Verification:

1. Section 448.095, F.S., The State of Florida requires the following:
 - a. Every public employer, contractor, and subcontractor shall register with and use the E-Verify system to verify the work authorization status of all newly hired employees. A public employer, contractor, or subcontractor may not enter into a contract unless each party to the contract registers with and uses the E-Verify system.
 - b. A private employer shall, after making an offer of employment which has been accepted by a person, verify such person's employment eligibility. A private employer is not required to verify the employment eligibility of a continuing employee hired before January 1, 2021. However, if a person is a contract employee retained by a private employer, the private employer must verify the employee's employment eligibility upon the renewal or extension of his or her contract.
2. E-Verify is an Internet-based system that allows an employer, using information reported on an employee's Form I-9, Employment Eligibility Verification, to determine the eligibility of all new employees hired to work in the United States. There is no charge to employers to use E-Verify. The Department of Homeland Security's E-Verify system can be found at:
<https://www.e-verify.gov/>
3. If Contractor does not have an E-Verify, Contractor shall enroll in the E-Verify system prior to hiring any new employee or retaining any contract employee after the effective date of this Contract.

M. Duty of Continuing Disclosure of Legal Proceedings:

1. Prior to execution of this Contract, Contractor must disclose all prior or on-going civil or criminal litigation, investigations, arbitration or administrative proceedings (Proceedings) involving Contractor (and each subcontractor) in a written statement to DEO's Contract Manager. Thereafter, Contractor has a continuing duty to promptly disclose all Proceedings upon occurrence.
2. This duty of disclosure applies to Contractor's or subcontractor's officers and directors when any Proceeding relates to the officer or director's business or financial activities. Details of settlements that are prevented from disclosure by the terms of the settlement may be annotated as such.
3. Contractor shall promptly notify the DEO's Contract Manager of any Proceeding relating to or affecting the Contractor's or subcontractor's business. If the existence of such Proceeding causes the State concern that the Contractor's ability or willingness to perform the Contract is jeopardized, Contractor shall be required to provide the DEO's Contract Manager all reasonable assurances requested by DEO to demonstrate that:
 - a. Contractor will be able to perform the Contract in accordance with its terms and conditions; and,

- b. Contractor and/or its employees, agents or subcontractor(s) have not and will not engage in conduct in performing services for DEO which is similar in nature to the conduct alleged in such Proceeding.

N. Assignments and Subcontracts:

1. Contractor agrees to neither assign the responsibility for this Contract to another party nor subcontract for any of the work contemplated under this Contract, or terminate or amend any such assignment or subcontract, without prior written approval of DEO, given at DEO's sole discretion, and only in accordance with the terms of DEO's approval. Notwithstanding the foregoing, if Contractor seeks DEO's approval for termination or amendment of a subcontract or assignment, based on foreseeable or actual legal or reputational harm clearly attributable to that subcontractor, then DEO's approval shall not be unreasonably withheld. Any sublicense, assignment, or transfer occurring without the prior approval of DEO, shall be null and void.
2. Contractor agrees to be responsible for all work performed and all expenses incurred in fulfilling the obligations of this Contract. If DEO permits Contractor to subcontract all or part of the work contemplated under this Contract, including entering into subcontracts with vendors for services and commodities, it is understood by Contractor that all such subcontract arrangements shall be evidenced by a written document containing all provisions necessary to ensure subcontractor's compliance with applicable state and federal law. Contractor further agrees that DEO shall not be liable to the subcontractor for any expenses or liabilities incurred under the subcontract and Contractor shall be solely liable to the subcontractor for all expenses and liabilities incurred under the subcontract. Contractor, at its expense, will defend DEO against such claims.
3. Contractor agrees that all Contractor employees, subcontractors, or agents performing work under the Contract shall be properly trained technicians who meet or exceed any specified training qualifications. Upon request, Contractor shall furnish a copy of technical certification or other proof of qualification. All employees, subcontractors, or agents performing work under the Contract must comply with all DEO security and administrative requirements identified herein. DEO may conduct, and Contractor shall cooperate in, a security background check or otherwise assess any employee, subcontractor, or agent furnished by Contractor. DEO may refuse access to, or require replacement of, any of Contractor's employees, subcontractors, or agents for cause, including, but not limited to, technical or training qualifications, quality of work, change in security status, or non-compliance with DEO's security or administrative requirements identified herein. Such refusal shall not relieve Contractor of its obligation to perform all work in compliance with the Contract. DEO may reject and bar from any facility for cause any of Contractor's employees, subcontractors, or agents.
4. Contractor agrees that the State of Florida shall at all times be entitled to assign or transfer its rights, duties, or obligations under this Contract to another governmental agency in the State of Florida, upon giving prior written notice to Contractor. In the event the State of Florida approves transfer of Contractor's obligations, Contractor remains responsible for all work performed and all expenses incurred in connection with the Contract. In addition, this

Contract shall bind the successors, assigns, and legal representatives of Contractor and of any legal entity that succeeds to the obligations of the State of Florida.

5. Contractor agrees to make payments to the subcontractor within seven (7) working days after receipt of full or partial payments from DEO in accordance with section 287.0585, F.S., unless otherwise stated in the Contract between Contractor and subcontractor. Contractor's failure to pay its subcontractors within seven (7) working days will result in a penalty charged against Contractor and paid to the subcontractor in the amount of one-half of one (1) percent of the amount due per day from the expiration of the period allowed herein for payment. Such penalty shall be in addition to actual payments owed and shall not exceed fifteen (15) percent of the outstanding balance due.
6. Contractor agrees that DEO may undertake or award supplemental contracts for work related to the Contract. Contractor and its subcontractors shall cooperate with such other contractors and DEO in all such cases.
7. Contractor shall provide a monthly Minority and Service-Disabled Veteran Business Enterprise Report for each invoice period summarizing the participation of certified and non-certified minority and service-disabled veteran subcontractors/material suppliers for that period, and project to date. The report shall include the names, addresses and dollar amount of each certified and non-certified Minority Business Enterprise and Service-Disabled Veteran Enterprise participant and a copy must be forwarded to DEO's Contract Manager. The Office of Supplier Diversity at (850) 487-0915 will assist in furnishing names of qualified minorities. DEO's Minority Coordinator at (850) 245-7260 will assist with questions and answers.
8. DEO shall retain the right to reject any of Contractor's or subcontractor's employees whose qualifications or performance, in DEO's judgment, are insufficient.
9. Prior to execution, at the time of seeking DEO's approval as specified in paragraph 1 of this subsection, Contractor shall deliver to DEO the contemplated subcontract(s) and assignment(s), and the contemplated amendment(s) thereto, governing any subcontractor that would perform any part of the work contemplated under this Contract.

O. Purchasing:

1. **Prison Rehabilitative Industries and Diversified Enterprises, Inc. (PRIDE):** In accordance with section 946.515(6), F.S., if a product or service required for the performance of this Contract is certified by or is available from PRIDE and has been approved in accordance with subsection 946.515(2), F.S., the following statement applies:

It is expressly understood and agreed that any articles which are the subject of, or required to carry out, this contract shall be purchased from the corporation identified under chapter 946, F.S., in the same manner and under the same procedures set forth in subsections 946.515(2) and (4), F.S.; and for purposes of this contract the person, firm or other business entity carrying out the provisions of this contract shall be deemed to be substituted for this agency insofar as dealings with such corporation are concerned.

The above clause is not applicable to subcontractors unless otherwise required by law. Additional information about PRIDE and the products it offers is available at <http://www.pride-enterprises.org>.

2. **Products Available from the Blind or Other Handicapped (RESPECT):** In accordance with subsection 413.036(3), F.S., if a product or service required for the performance of this Contract is on the procurement list established pursuant to subsection 413.035(2), F.S., the following statement applies:

It is expressly understood and agreed that any articles that are the subject of, or required to carry out, this contract shall be purchased from a nonprofit agency for the blind or for the severely handicapped that is qualified pursuant to chapter 413, F.S., in the same manner and under the same procedures set forth in subsections 413.036(1) and (2), F.S.; and for purposes of this contract, the person, firm or other business entity carrying out the provisions of this contract shall be deemed to be substituted for the state agency insofar as dealings with such qualified nonprofit agency are concerned.

Additional information about the designated nonprofit agency and the products it offers is available at <http://www.respectofflorida.org>.

3. Contractor agrees to procure any recycled products or materials which are the subject of or are required to carry out this Contract in accordance with section 403.7065, F.S.

P. MyFloridaMarketPlace Transaction Fee:

1. The State of Florida has instituted MyFloridaMarketPlace, a statewide eProcurement System (System). Pursuant to subsection 287.057(22), F.S., all payments shall be assessed a Transaction Fee of one percent (1.0%), which Contractor shall pay to the State, unless exempt pursuant to Rule 60A-1.031, F.A.C.
2. For payments within the State accounting system (FLAIR or its successor), the Transaction Fee shall, when possible, be automatically deducted from payments to Contractor. If automatic deduction is not possible, Contractor shall pay the Transaction Fee pursuant to Rule 60A-1.031, F.A.C. By submission of these reports and corresponding payments, Contractor certifies their correctness. All such reports and payments shall be subject to audit by the State or its designee.
3. Contractor shall receive a credit for any Transaction Fee paid by Contractor for the purchase of any item(s) if such item(s) are returned to Contractor through no fault, act, or omission of Contractor. Notwithstanding the foregoing, a Transaction Fee is non-refundable when an item is rejected or returned, or declined, due to Contractor's failure to perform or comply with specifications or requirements of the Contract.
4. Failure to comply with these requirements shall constitute grounds for declaring Contractor in default and recovering procurement costs from Contractor in addition to all outstanding fees. **CONTRACTORS DELINQUENT IN PAYING TRANSACTION FEES SHALL BE EXCLUDED FROM CONDUCTING FUTURE BUSINESS WITH THE STATE.**

Q. Nonexpendable Property:

1. For the requirements of this Section of the Contract, "nonexpendable property" is the same as "property" as defined in section 273.02, F.S. (equipment, fixtures, and other tangible personal property of a non-consumable and nonexpendable nature, with a value or cost of \$1,000 or more, and a normal expected life of one year or more; hardback-covered bound books that are circulated to students or the general public, with a value or cost of \$25 or more; and hardback-covered bound books, with a value or cost of \$250 or more).
2. All nonexpendable property, purchased under this Contract, shall be listed on the property records of Contractor. Contractor shall inventory annually and maintain accounting records for all nonexpendable property purchased and submit an inventory report to DEO with the final expenditure report. The records shall include, at a minimum, the following information: property tag identification number, description of the item(s), physical location, name, make or manufacturer, year, and/or model, manufacturer's serial number(s), date of acquisition, and the current condition of the item.
3. At no time shall Contractor dispose of nonexpendable property purchased under this Contract for these services without the written permission of and in accordance with instructions from DEO.
4. Immediately upon discovery, Contractor shall notify DEO, in writing, of any property loss with the date and reason(s) for the loss.
5. Contractor shall be responsible for the correct use of all nonexpendable property furnished under this Contract.
6. A formal Contract amendment is required prior to the purchase of any item of nonexpendable property not specifically listed in the approved Contract budget.
7. Title (ownership) to all nonexpendable property acquired with funds from this Contract shall be vested in DEO and said property shall be transferred to DEO upon completion or termination of the Contract unless otherwise authorized in writing by DEO.

R. Information Resource Acquisition:

Contractor shall obtain prior written approval from the appropriate DEO approving authority before purchasing any Information Technology Resource (ITR) or conducting any activity that will impact DEO's electronic information technology equipment or software, as both terms are defined in DEO Policy Number 5.01, in any way. ITR includes computer hardware, software, networks, devices, connections, applications, and data.

S. Insurance:

During the Contract, including the initial Contract term, renewal(s), and extensions, Contractor, at its sole expense, shall maintain insurance coverage of such types and with such terms and limits as may be reasonably associated with the Contract. Providing and maintaining adequate insurance coverage is a material obligation of Contractor, and failure to maintain such coverage may void the Contract. The limits of coverage under each policy maintained by Contractor shall

not be interpreted as limiting Contractor's liability and obligations under the Contract. All insurance policies shall be through insurers licensed and authorized to write policies in Florida.

Upon execution of this Contract, Contractor shall provide DEO written verification of the existence and amount for each type of applicable insurance coverage. Within thirty (30) days of the effective date of the Contract, Contractor shall furnish DEO proof of applicable insurance coverage by standard ACORD form certificates of insurance. In the event any applicable coverage is cancelled by the insurer for any reason, Contractor shall immediately notify DEO of such cancellation and shall obtain adequate replacement coverage conforming to the requirements herein and provide proof of such replacement coverage within fifteen (15) business days after the cancellation of coverage. Contractor shall request an insurance certificate from its insurer including DEO as an additional insured and identify DEO's Contract Number. Copies of new insurance certificates must be provided to DEO's Contract Manager with each insurance renewal.

DEO shall be exempt from, and in no way liable for, any sums of money representing a deductible in any insurance policy. The payment of such deductible shall be the sole responsibility of Contractor providing such insurance. The following types of insurance are required.

1. Contractor's Commercial General Liability Insurance:

By execution of this Contract, unless Contractor is a state agency or subdivision as defined by Subsection 768.28(2), F.S., Contractor shall provide adequate commercial general liability insurance coverage and hold such liability insurance at all times during this Contract. A self-insurance program established and operating under the laws of the State of Florida may provide such coverage.

2. Workers' Compensation and Employer's Liability Insurance:

Contractor, at all times during the Contract, at its sole expense, shall provide commercial insurance of such a type and with such terms and limits as may be reasonably associated with the Contract, which, as a minimum, shall be: workers' compensation and employer's liability insurance in accordance with chapter 440, F.S., with minimum employer's liability limits of \$100,000 per accident, \$100,000 per person, and \$500,000 policy aggregate. Such policy shall cover all employees engaged in any Contract work.

3. Other Insurance:

During the Contract term, Contractor shall maintain any other insurance as required in Attachment 1, Scope of Work.

T. Confidentiality and Safeguarding Information:

1. Each Party may have access to confidential information made available by the other. The provisions of the Florida Public Records Act, Chapter 119, F.S., and other applicable state and federal laws will govern disclosure of any confidential information received by the State of Florida.

2. Contractor must implement procedures to ensure the appropriate protection and confidentiality of all data, files, and records involved with this Contract.
3. Except as necessary to fulfill the terms of this Contract and with the permission of DEO, Contractor shall not divulge to third parties any confidential information obtained by Contractor or its agents, distributors, resellers, subcontractors, officers, or employees in the course of performing Contract work, including, but not limited to, security procedures, business operations information, or commercial proprietary information in the possession of the State or DEO.
4. Contractor agrees not to use or disclose any information concerning a recipient of services under this Contract for any purpose not in conformity with state and federal law or regulations except upon written consent of the recipient, or his responsible parent or guardian when authorized by law, if applicable.
5. If Contractor has access to either DEO's network or any DEO applications, or both, in order to fulfill Contractor's obligations under this Contract, Contractor agrees to abide by all applicable DEO Information Technology Security procedures and policies. Contractor (including its employees, subcontractors, agents, or any other individuals to whom Contractor exposes confidential information obtained under this Contract), shall not store, or allow to be stored, any confidential information on any portable storage media (e.g., laptops, thumb drives, hard drives, etc.) or peripheral device with the capacity to hold information. Failure to strictly comply with this provision shall constitute a breach of Contract.
6. Contractor shall notify DEO in writing of any disclosure of unsecured confidential information of DEO by Contractor, its employees, agents, or representatives which is not in compliance with the terms of this Contract (of which it becomes aware). Contractor also shall report to DEO any Security Incidents of which it becomes aware, including those incidents reported to Contractor by its sub-contractors or agents. For purposes of this Contract, "Security Incident" means the attempted or successful unauthorized access, use, disclosure, modification, or destruction of DEO information in Contractor's possession or electronic interference with DEO operations; however, random attempts at access shall not be considered a security incident. Contractor shall make a report to DEO not more than seven (7) business days after Contractor learns of such use or disclosure. Contractor's report shall identify, to the extent known: (i) the nature of the unauthorized use or disclosure, (ii) the confidential information used or disclosed, (iii) who made the unauthorized use or received the unauthorized disclosure, (iv) what Contractor has done or shall do to mitigate any deleterious effect of the unauthorized use or disclosure, and (v) what corrective action Contractor has taken or shall take to prevent future similar unauthorized use or disclosure. Contractor shall provide such other information, including a written report, as reasonably requested by DEO's Information Security Manager.
7. In the event of a breach of security concerning confidential personal information involved with this Contract, Contractor shall comply with section 501.171, F.S., as applicable. When notification to affected persons is required under this section of the statute, Contractor shall provide that notification, but only after receipt of DEO's approval of the contents of the notice. Defined statutorily, and for purposes of this Contract, "breach of security" means the unauthorized access of data in electronic form containing personal information. Good faith

acquisition of personal information by an employee or agent of the Contractor is not a breach of security, provided the information is not used for a purpose unrelated to the Contractor's obligations under this Contract or is not subject to further unauthorized use.

U. Warranty of Ability to Perform:

Contractor warrants that, to the best of its knowledge, there is no pending or threatened action, proceeding, or investigation, or any other legal or financial condition, that would in any way prohibit, restrain, or diminish Contractor's ability to satisfy its contract obligations. Contractor warrants that neither it nor any affiliate is currently on the convicted vendor list maintained pursuant to section 287.133, F.S., or on any similar list maintained by any other state or the federal government. Contractor shall immediately notify DEO in writing if its ability to perform is compromised in any manner during the term of the Contract.

V. Patents, Copyrights, and Royalties:

1. Pursuant to section 286.021, F.S., if any discovery or invention arises or is developed in the course or as a result of work or services performed with funds from this Contract, Contractor shall refer the discovery or invention to DEO who will refer it to the Department of State to determine whether patent protection will be sought in the name of the State of Florida. Any and all patent rights accruing under or in connection with the performance of the Contract are hereby reserved to the State of Florida. The rights to any invention resulting from this Contract that is for the performance of experimental, developmental, or research work are governed by 37 CFR Part 401 and any of its implementing regulations as applicable. All data, both electronic and hard copies, created or received by Contractor during the Contract are the property of DEO and must be surrendered to DEO upon expiration, termination or cancellation of this Contract at no cost to DEO.
2. Where activities supported by this Contract produce original writings, sound recordings, pictorial reproductions, drawings or other graphic representations and works of any similar nature, DEO has the right to use, duplicate and disclose such materials in whole or in part, in any manner, for any purpose whatsoever and to allow others acting on behalf of DEO to do so. In the event any books, manuals, films, websites, web elements, electronic information, or other copyrightable materials are produced Contractor shall notify DEO. Any and all copyrights and intellectual property rights accruing under or in connection with the performance funded by this Contract are hereby reserved to the State of Florida.
3. In accordance with the provisions of section 1004.23, F.S., a State University is authorized in its own name to perform all things necessary to secure letters of patent, copyrights, and trademarks on any works it produces. Any action taken by the university in securing or exploiting such trademarks, copyrights, or patents shall, within thirty (30) days, be reported in writing by the president of the university to the Department of State in accordance with section 1004.23(6), F.S.

W. Independent Contractor Status:

In Contractor's performance of its duties and responsibilities under the Contract, it is mutually understood and agreed that Contractor is at all times acting and performing as an independent

contractor. DEO shall neither have nor exercise any control or direction over the methods by which Contractor shall perform its work and functions other than as provided herein. Nothing in the Contract is intended to or shall be deemed to constitute a partnership or joint venture between the Parties.

1. Except where Contractor is a state agency, Contractor, its officers, agents, employees, subcontractors, or assignees, in performance of this Contract shall act in the capacity of an independent contractor and not as an officer, employee, or agent of the State of Florida. Nor shall Contractor represent to others that, as Contractor, it has the authority to bind DEO unless specifically authorized to do so.
2. Except where Contractor is a state agency, neither Contractor, nor its officers, agents, employees, subcontractors, or assignees are entitled to state retirement or state leave benefits, or to any other compensation of state employment as a result of performing the duties and obligations of this Contract.
3. Contractor agrees to take such actions as may be necessary to ensure that each subcontractor will be deemed to be an independent contractor and will not be considered or permitted to be an agent, servant, joint venturer, or partner of the State of Florida.
4. Unless justified by Contractor and agreed to by DEO in Attachment 1, Scope of Work, DEO will not furnish services of support (*e.g.*, office space, office supplies, telephone service, secretarial, or clerical support) to Contractor or its subcontractor or assignee.
5. DEO shall not be responsible for withholding taxes with respect to Contractor's compensation hereunder. Contractor shall have no claim against DEO for vacation pay, sick leave, retirement benefits, social security, workers' compensation, health or disability benefits, reemployment assistance benefits, or employee benefits of any kind. Contractor shall ensure that its employees, subcontractors, and other agents, receive benefits and necessary insurance (health, workers' compensation, reemployment assistance benefits) from an employer other than the State of Florida.
6. Contractor, at all times during the Contract, must comply with the reporting and Reemployment Assistance contribution payment requirements of chapter 443, F.S.

X. Electronic Funds Transfer:

Contractor agrees to enroll in Electronic Funds Transfer (EFT), offered by the State's Chief Financial Officer within thirty (30) days of the date the last Party has signed this Contract. Copies of the Authorization form and a sample blank enrollment letter can be found on the vendor instruction page at:

<https://www.myfloridacfo.com/Division/AA/Vendors/>

Questions should be directed to the EFT Section at (850) 413-5517. Once enrolled, invoice payments will be made by EFT.

II. CONTRACTOR AND DEO AGREE:

A. Renegotiation or Modification:

The Parties agree to renegotiate this Contract if federal and/or state revisions of any applicable laws or regulations make changes to this Contract necessary. In addition to changes necessitated by law, DEO may at any time, with written notice to Contractor, make changes within the general scope of the Contract. Such changes may include modification of the requirements, changes to processing procedures, or other changes as decided by DEO. Any investigation necessary to determine the impact of the change shall be the responsibility of Contractor. Modifications of provisions of this Contract shall only be valid when they have been reduced to writing and duly signed and dated by all Parties.

B. Time is of the Essence:

Time is of the essence regarding the performance obligations set forth in this Contract. Any additional deadlines for performance for Contractor's obligation to timely provide deliverables under this Contract including but not limited to timely submittal of reports, are contained in Attachment 1, Scope of Work.

C. Termination:

1. Termination Due to the Lack of Funds:

In the event funds to finance this Contract become unavailable or if federal or state funds upon which this Contract is dependent are withdrawn or redirected, DEO may terminate this Contract upon no less than twenty-four (24) hours' notice in writing to Contractor. DEO shall be the final authority as to the availability of funds and will not reallocate funds earmarked for this Contract to another program thus causing "lack of funds." In the event of termination of this Contract under this provision, Contractor will be compensated for any work satisfactorily completed prior to notification of termination.

2. Termination for Cause:

DEO may terminate the Contract if Contractor fails to: (1) deliver the product or services within the time specified in the Contract or any extension; (2) maintain adequate progress, thus endangering performance of the Contract; (3) honor any term of the Contract; or (4) abide by any statutory, regulatory, or licensing requirement. Rule 60A-1.006(3), F.A.C., governs the procedure and consequences of default. Contractor shall continue to perform any work not terminated. The rights and remedies of DEO in this clause are in addition to any other rights and remedies provided by law or under the Contract. Contractor shall not be entitled to recover any cancellation charges or lost profits.

3. Termination for Convenience:

DEO, by written notice to Contractor, may terminate this Contract in whole or in part when DEO determines in its sole discretion that it is in the State's interest to do so. Contractor shall not furnish any product after it receives the notice of termination, except as necessary to

complete the continued portion of the Contract, if any. Contractor shall not be entitled to recover any cancellation charges or lost profits.

D. Dispute Resolution:

Unless otherwise stated in Attachment 1, Scope of Work, disputes concerning the performance of the Contract shall be decided by DEO, who shall reduce the decision to writing and serve a copy on Contractor. The decision shall be final and conclusive unless within twenty-one (21) days from the date of receipt, Contractor files with DEO a petition for administrative hearing. DEO's final order on the petition shall be final, subject to any right of Contractor to judicial review pursuant to section 120.68, F.S. Exhaustion of administrative remedies is an absolute condition precedent to Contractor's ability to pursue any other form of dispute resolution; provided however, that the Parties may employ the alternative dispute resolution procedures outlined in chapter 120, F.S.

E. Indemnification (NOTE: If Contractor is a state agency or subdivision, as defined in section 768.28(2), F.S., pursuant to section 768.28(19), F.S., neither Party indemnifies nor insures or assumes any liability for the other Party for the other Party's negligence):

1. Contractor shall be fully liable for the actions of its agents, employees, partners, and subcontractors and shall fully indemnify, defend, and hold harmless the State and DEO, and their officers, agents, and employees, from suits, actions, damages, and costs of every name and description, including attorneys' fees, arising from or relating to personal injury and damage to real or personal tangible property alleged to be caused in whole or in part by Contractor, its agents, employees, partners, or subcontractors, provided, however, that Contractor shall not indemnify for that portion of any loss or damages proximately caused by the negligent act or omission of the State or DEO.
2. Further, Contractor shall fully indemnify, defend, and hold harmless the State and DEO from any suits, actions, damages, and costs of every name and description, including attorneys' fees, arising from or relating to violation or infringement of a trademark, copyright, patent, trade secret or intellectual property right, provided, however, that the foregoing obligation shall not apply to DEO's misuse or modification of Contractor's products or DEO's operation or use of Contractor's products in a manner not contemplated by the Contract or the purchase order. If any product is the subject of an infringement suit, or in Contractor's opinion is likely to become the subject of such a suit, Contractor may at its sole expense procure for DEO the right to continue using the product or to modify it to become non-infringing. If Contractor is not reasonably able to modify or otherwise secure DEO the right to continue using the product, Contractor shall remove the product and refund DEO the amounts paid in excess of a reasonable rental for past use. DEO shall not be liable for any royalties.
3. Contractor's obligations under the preceding two paragraphs with respect to any legal action are contingent upon the State or DEO giving Contractor (1) written notice of any action or threatened action, (2) the opportunity to take over and settle or defend any such action at Contractor's sole expense, and (3) assistance in defending the action at Contractor's sole expense. Contractor shall not be liable for any cost, expense, or compromise incurred or made by the State or DEO in any legal action without Contractor's prior written consent, which shall not be unreasonably withheld.

F. Limitation of Liability:

For all claims against Contractor under this contract, regardless of the basis on which the claim is made, Contractor's liability under this contract for direct damages shall be limited to the greater of \$100,000 or the dollar amount of the contract. This limitation shall not apply to claims arising under the Indemnity paragraph contained in this Contract.

Unless otherwise specifically enumerated in the Contract, no Party shall be liable to another for special, indirect, punitive, or consequential damages, including lost data or records (unless the contract or purchase order requires Contractor to back-up data or records), even if the Party has been advised that such damages are possible. No Party shall be liable for lost profits, lost revenue, or lost institutional operating savings. The State and DEO may, in addition to other remedies available to them at law or equity and upon notice to Contractor, retain such monies from amounts due Contractor as may be necessary to satisfy any claim for damages, penalties, costs and the like asserted by or against them. The State may set off any liability or other obligation of Contractor or its affiliates to the State against any payments due Contractor under any Contract with the State.

G. Force Majeure and Notice of Delay from Force Majeure:

Neither Party shall be liable to the other for any delay or financial consequences or failure to perform under this Contract if such delay or failure is due to neither the fault nor the negligence of the Party or its employees or agents and the delay or failure is due directly to a Force Majeure Event, hereby defined as acts of God, acts of governmental authority, wars, acts of public enemies, civil or labor disturbances, fires, floods, or other similar cause wholly beyond the Party's control that makes it illegal or impossible for the Party to perform its obligations as originally contracted under this Contract, or for any of the foregoing that affects subcontractors or suppliers if no alternate source of supply is available. However, in the event of delay or failure from the foregoing causes, the Party shall take all reasonable measures to mitigate any and all resulting delay or disruption in the Party's performance obligation under this Contract. For avoidance of doubt, and without limiting or expanding upon the foregoing, the failure of DEO's Salesforce case management system, or any redirection or material change to the DEO HAF Plan by the US Treasury or government mandated closures shall qualify as a Force Majeure Event; however, COVID-19 and its variants shall not qualify as a Force Majeure Event with respect to any staffing difficulties experienced by Contractor.

In the case of any delay or failure Contractor believes is excusable under the foregoing, Contractor shall notify DEO in writing of the delay or failure, or potential delay or failure, and describe the cause of same either: (1) within fifteen (15) calendar days after the cause that creates or will create the delay or failure first arose, if Contractor could reasonably foresee that a delay or failure could occur as a result; or (2) within ten (10) calendar days after the date Contractor first had reason to believe that a delay or failure could result if the delay or failure is not reasonably foreseeable. **THE FOREGOING SHALL CONSTITUTE CONTRACTOR'S SOLE REMEDY OR EXCUSE WITH RESPECT TO DELAY OR FAILURE.** Providing notice in strict accordance with this paragraph is a condition precedent to such remedy. DEO, in its sole discretion, will determine if the delay or failure is excusable under this section and will notify Contractor of its decision in writing. If the delay or failure is excusable under this paragraph, the delay or failure will not result in any

additional charge or cost under the Contract to either Party. No claim for damages, other than for an extension of time, shall be asserted against DEO. Contractor shall not be entitled to an increase in the Contract price or payment of any kind from DEO for direct, indirect, consequential, impact, or other costs, expenses or damages, including but not limited to costs of acceleration or inefficiency arising because of delay, disruption, interference, or hindrance from any cause whatsoever. If performance is suspended or delayed, in whole or in part, due to any of the causes described in the foregoing paragraph, after the causes have ceased to exist, Contractor shall perform at no increased cost, unless DEO determines, in its sole discretion, that the delay will significantly impair the value of the Contract to DEO or the State, in which case, DEO may do any or all of the following: (1) accept allocated performance or deliveries from Contractor, provided that Contractor grants preferential treatment to DEO with respect to products or services subjected to allocation; (2) purchase from other sources (without recourse to and by Contractor for the related costs and expenses) to replace all or part of the products or services that are the subject of the delay, which purchases may be deducted from the Contract quantity; or (3) terminate the Contract in whole or in part.

H. Severability:

If any provision, in whole or in part, of this Contract is held to be void or unenforceable by a court of competent jurisdiction, that provision shall be enforced only to the extent that it is not in violation of law or is not otherwise unenforceable, and all other provisions remain in full force and effect.

I. Authority of Contractor’s Signatory:

Upon execution, Contractor shall return the executed copies of this Contract in accordance with the instructions provided by DEO along with documentation ensuring that the below signatory has authority to bind Contractor to this Contract as of the date of execution. Documentation may be in the form of a legal opinion from the Contractor’s attorney, or other reliable documentation demonstrating such authority, and is hereby incorporated by reference. DEO may, at its discretion, request additional documentation related to the below signatory’s authority to bind Contractor to this Contract.

J. Execution in Counterparts:

This Contract may be executed in counterparts, each of which shall be an original and all of which shall constitute but one and the same instrument.

K. Contact Information for Contractor and DEO Contacts:

Contractor’s Payee:	Contractor’s Contract Manager:
North Highland	Wayne Messina
3333 Piedmont Road NE	3800 Esplanade Way Suite 160
Atlanta, Ga. 30305	Tallahassee, Fl. 32311
(404) 504-7500	(850) 294-0483
(850) 222-4738	(850) 222-4738
Northhighland.com	Wayne.messina@northhighland.com

DEO's Contract Manager:

Michael DiNapoli
107 E. Madison St.- Caldwell Building
Tallahassee, FL 32399
Phone: (850) 717-8966
Fax: (850) 412-4770
Michael.dinapoli@deo.myflorida.com

In the event any of the information provided in Section II.K. above changes, including the designation of a new Contract Manager, after the execution of this Contract, the Party making such change will notify all other Parties in writing of such change. Such changes shall not require a formal amendment to the Contract.

L. Notices:

The contact information provided in accordance with Section II.K. above shall be used by the Parties for all communications under this Contract. Where the term "written notice" is used to specify a notice requirement herein, said notice shall be deemed to have been given (i) when personally delivered; (ii) when transmitted via facsimile with confirmation of receipt or email with confirmation of receipt if the sender on the same day sends a confirming copy of such notice by a recognized overnight delivery service (charges prepaid); (iii) the day following the day (except if not a business day then the next business day) on which the same has been delivered prepaid to a recognized overnight delivery service; or (iv) the third business day following the day on which the same is sent by certified or registered mail, postage prepaid, with return receipt.

M. Attachments and Exhibits: Attached to and made part of this Contract are the following Attachments and/or Exhibits, each of which is incorporated into, and is an integral part of, this Contract:

- **Attachment 1:** Scope of Work
- **Attachment 2:** Certifications and Assurances
- **Attachment 3:** State and Federal Statutes, Regulations, and Policies

N. Executive Order 21-223 - Pursuant to State of Florida Executive Order Number 21-223, Contractor shall utilize the U.S. Citizenship and Immigration Services' Systematic Alien Verification for Entitlements program (known as "SAVE"), or any successor or similar applicable verification program, to confirm the eligibility of beneficiaries before providing any funds, resources, benefits, or any other thing of value during the Contract term. Further, Contractor shall include in related subcontracts a requirement that subcontractors performing work or providing services pursuant to the Contract utilize SAVE, or any successor or similar applicable verification program, to confirm the eligibility of beneficiaries before providing any funds, resources, benefits, or any other thing of value during the Contract term.

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O. Execution:


I have read the above Contract and the attachments and exhibits thereto and understand each section and paragraph.

IN WITNESS THEREOF, and in consideration of the mutual covenants set forth above and, in the attachments, hereto, the Parties have caused to be executed this Contract by their undersigned officials duly authorized.

DEPARTMENT OF ECONOMIC OPPORTUNITY

THE NORTH HIGHLAND COMPANY LLC

By _____
Signature
Dane Eagle

By 
Signature
Wayne Messina

Title **Secretary**

Title **Vice President**

Date _____

Date **3/22/2022**

Approved as to form and legal sufficiency, subject only to full and proper execution by the Parties.

**OFFICE OF GENERAL COUNSEL
DEPARTMENT OF ECONOMIC OPPORTUNITY**

By: _____

Approved Date: _____

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Attachment 1

SCOPE OF WORK

INCLUSION OF SOLICITATION DOCUMENTS AND CONTRACTOR RESPONSE

The original specifications and all addendums and responses to 22-RFQ-009 TP, and all representations, warranties and commitments in the response and related correspondence continue as contractual obligations under this Contract.

Contractor shall provide services in accordance with the terms and conditions of the foregoing Vendor Core Contract; this Scope of Work; Contractor's State Term Contract Number 80101500-20-1 for Management Consulting Services hereby incorporated by reference; and subsection 287.058(1)(a)-(i), Florida Statutes (F.S.). The requirements of paragraphs (a) – (c) of subsection 287.058(1), F.S., are hereby incorporated by reference. If there are conflicting provisions between the Contract Documents, the order of precedence for the Documents is as follows:

1. This Scope of Work
2. The foregoing Vendor Core Contract
3. State Term Contract Number 80101500-20-1
4. DEO 22-RFQ-009 TP and Contractor's Response

CONTRACTOR IS REQUIRED TO COMPLETE ATTACHMENT 2.

1.0 General Description

The Homeowner Assistance Fund (HAF) was established under Section 3206 of the American Rescue Plan Act of 2021 and provides financial assistance to the State of Florida through the United States Department of the Treasury ("Treasury"). Through qualified expenses related to mortgages and housing, the HAF is intended to provide funds ("HAF Program Funds") to eligible homeowners for the purpose of preventing mortgage payment delinquencies, defaults, foreclosures, loss of utilities or home energy services, and displacements of homeowners experiencing financial hardship.

DEO has been designated to manage and operate the HAF on behalf of the State of Florida. DEO's management and operation of the HAF is governed by its HAF Plan and other applicable legal authorities. DEO's HAF Plan sets forth programs covering a broad range of assistance for Florida homeowners. In accordance with the terms of this Contract, Contractor will assist DEO with execution of the HAF Plan as it now exists and as it may thereafter be amended from time to time, through outreach and community engagement, application intake and case management, eligibility recommendations, and payment disbursement.

1.1 Tasks and Deliverables

Contractor shall provide Management Consulting Services with respect to the following Tasks and Deliverables. Contractor acknowledges that all Tasks and Deliverables may be subject to revisions required by US Treasury HAF Program changes or conflicts. Upon the written direction of DEO, Contractor shall make best efforts to accommodate such required changes until the Parties are able to formally memorialize the changes by written amendment.

1.1.1 Outreach and Community Engagement

Using criteria established by DEO in the HAF Plan submitted to the US Treasury, and as otherwise set forth herein, Contractor shall provide HAF Program Outreach and Community Engagement as follows:

- a. **Comprehensive Outreach Plan (COP)** - Within forty-five (45) calendar days of Contract execution or thirty (30) calendar days of US Treasury's approval of DEO's HAF Plan, whichever is later, Contractor shall develop and submit to DEO a detailed Comprehensive Outreach Plan (COP) that, upon DEO's approval, shall govern Contractor's outreach and community engagement, and as may otherwise be specified herein. Approval of the COP shall be at DEO's sole discretion. In the event DEO does not approve of the original COP submitted, DEO shall clearly communicate the deficiencies to Contractor in writing, and Contractor shall have fourteen (14) calendar days to revise the COP to cure the deficiencies and resubmit the COP to DEO for approval at DEO's sole discretion.
- b. **COP Updates** - Contractor shall make updates to the COP throughout the term of the Contract, as requested by DEO in writing. The updated COP shall be submitted to DEO for approval within (14) calendar days of DEO's request for update. Approval of the updated COP shall be at DEO's sole discretion. In the event any US Treasury guidelines or other governing authorities explicitly or implicitly require an update to the COP to ensure compliance in less than fourteen (14) days, Contractor shall update and submit the COP within the reduced timeframe necessary, as directed by DEO in writing.
- c. **Collaboration** - With respect to any services Contractor performs pursuant to this section 1.1.1, including, but not limited to the development of Outreach Materials, Contractor shall perform in consultation with DEO's designated staff (e.g., members of DEO's communications team). Contractor shall ensure that any subcontractors it utilizes comply with this provision.
- d. **Outreach Materials** - In accordance with the COP, Contractor shall create and submit Outreach Materials to DEO for approval prior to use, including any Outreach Materials that Contractor seeks to utilize with other project stakeholders (for example, community organizations). Contractor shall create Outreach Materials for media, such as TV, print, radio, social media, and internet. Contractor will use DEO-approved outreach branding guidelines to create all Outreach Materials. Contractor will translate all Outreach Materials into all languages identified by DEO in the COP and utilize such translated Materials in a cost-effective manner efficiently directed to Targeted Demographics.
- e. **Key Media** - In accordance with the COP, Contractor will develop and execute a comprehensive media campaign, including, but not limited to paid media, social media, and earned media, as part of its outreach and community engagement efforts; provided, that DEO shall separately pay for television, radio, and billboard media. All information, graphics, and materials utilized in the media campaign constitute Outreach Materials and are governed accordingly. Contractor shall document communications with persons and entities in this regard, including, but not limited to the frequency of engagement, the method, and the subjects of the communication.
- f. **Targeted Demographics** - Contractor shall focus Outreach and Community Engagement on those demographics identified in the COP.

- g. **Citizen Complaints Protocol System** - In accordance with the COP, Contractor shall develop and implement a Citizen Complaint Protocol System and associated metrics for tracking, resolving, and analyzing complaints and/or issues for each communication medium. Contractor's implementation of the System is subject to DEO's sole approval. Public facing information and graphics utilized in the System constitute Outreach Materials and are governed accordingly. A summary of complaints and issues, and responses thereto shall be included in the bi-weekly reports required in this section 1.1.1.
- h. **Marketing Dashboard** - In accordance with the COP, Contractor shall develop and maintain an online dashboard, accessible to DEO, that presents weekly-updated information on all outreach and community engagement activity.
- i. **Reports and Briefings** – On a day of the week specified in the COP, every other week Contractor shall provide DEO with a detailed, written report outlining all tasks completed in the COP to date, all current work underway, all work planned, and any other information identified in the COP or this Contract. Contractor shall also provide DEO with weekly briefings on subjects specified in the COP or otherwise identified by DEO in writing with reasonable notice to Contractor.
- j. **Reservation** - Notwithstanding anything in this Contract to the contrary, DEO reserves the right to separately procure for any services contemplated in this section 1.1.1 or set forth in the Contractor's Response, including but not limited to drafting and development of outreach materials, purchase and placement of key media, key demographic targeting and outreach, a marketing dashboard, or any website development.

1.1.2 Intake Center and Call Center Stand-up

Using criteria established by DEO in the HAF Plan submitted to the US Treasury, and as otherwise set forth herein, Contractor shall provide Intake and Call Center Services as follows:

- a. **Set-up and Ongoing Operations** - In accordance with the COP, Contractor shall set-up, staff, and operate Core Intake Centers, Temporary Intake Centers, and Call Centers. Upon Contractor's set-up and staffing of each Intake or Call Center, it shall issue DEO a written Notice of Set-up.
- b. **Intake and Case Management** - In accordance with the COP, Contractor shall operate Intake Centers and Call Centers in a manner that efficiently facilitates the acquisition and processing of all information and supporting documentation necessary to accomplish the Intake and Eligibility Operations specified in section 1.1.3. All such Intake and Case Management shall be conducted in compliance with all applicable legal authorities. No less than eighty-five percent (85%) of Intake and Case Management Services shall be performed by the Core and Temporary Intake Centers provided, however, DEO in its sole discretion may permit in writing a fixed percentage of Intake and Case Management Services to be performed remotely by staff of the Core or Temporary Intake Centers who are residents of Florida and are directly supervised by their Core or Temporary Intake Centers.
- c. **Core Intake Centers** – Core Intake Centers shall serve as primary contact locations between Contractor and the public for purposes of Intake and Case Management. Core Intake Centers must be located such that they are readily accessible to Targeted Demographics in the area. Core

Intake Centers must comply with all local zoning and permitting laws, and all other applicable legal authorities. Core Intake Centers must be open every weekday for at least eight (8) consecutive hours between 7:00 a.m. and 9:00 p.m., EST, and open one (1) weekend day each week for at least four (4) consecutive hours between 7:00 a.m. and 9:00 p.m., EST, based on the needs of the Targeted Demographics in the area.

- d. **Temporary Intake Centers** – Temporary Intake Centers shall serve as supplemental contact locations between Contractor and the public for purposes of Intake and Case Management. Temporary Intake Centers must be located such that they meet the needs of Targeted Demographics that go unmet by Core Intake Centers. Temporary Intake Centers must comply with all local zoning and permitting laws, and all other applicable legal authorities. Temporary Intake Centers must maintain consistent hours of operation that are based on the needs of the Targeted Demographics in the area.
- e. **Intake Center Staff** – Core and Temporary Intake Centers shall be staffed so as to provide competent, cost-effective, and responsive Intake and Case Management. Staff shall provide timely, professional, customer service-oriented support in a manner that also minimizes wait times and accommodates working members of the public. Staff shall be highly knowledgeable in all aspects of the HAF Plan and HAF Program Materials, including, but not limited to eligibility, and must answer questions efficiently and effectively. This section may be modified by restatement in the COP.
- f. **Call Centers** – Call Centers shall serve as a point of contact between Contractor and the public for the primary purposes of providing general HAF Program information, answering general HAF Program questions, and connecting the public with the Intake Center and Intake Center Staff appropriate to their location and situation.
- g. **Call Center Staff** – Call Centers shall be staffed so as to provide Call Center services in a competent, cost-effective, and responsive manner. Staff shall provide timely, professional, customer service-oriented support in a manner that also minimizes wait times and accommodates working members of the public. Staff shall be highly knowledgeable in aspects of the HAF Plan and HAF Program Materials related to Intake and Case Management, including, but not limited to Intake Center locations and the various types of documentation typically necessary for Intake, and must answer general questions efficiently and effectively. At a caller's discretion, Call Center Staff may accept and enter the caller's general information into DEO's Subrecipient Enterprise Resource Application ("SERA System") for follow-up contact by Intake Center staff and/or refer the applicant to the closest Intake Centers. Call Center Staff may not initiate Intake, accept a caller's documentation, or otherwise represent to callers that they are beginning Intake through the Call Center. This section may be modified by restatement in the COP.
- h. **HAF Program Materials**
 - 1) **Development** - Within forty-five (45) calendar days of Contract execution or thirty (30) calendar days of US Treasury's approval of DEO's HAF Plan, whichever is later, Contractor shall develop and submit to DEO for approval all HAF Program Materials necessary for an efficient, cost effective, and accurate review and eligibility determination of HAF Program Applications in full compliance with all applicable legal authorities, DEO's US Treasury-approved HAF Plan, and any additional guidelines provided by DEO. HAF Program

Materials shall include, but are not limited to, a comprehensive HAF Program Operating Manual, Application Materials, and Eligibility Recommendation Materials. In addition to other necessary provisions, Contractor's HAF Program Operating Manual shall incorporate the Citizen Complaints Protocol System developed in section 1.1.1 to ensure complaints and issues raised by applicants are assessed and addressed, as may be appropriate, in Contractor's Intake and Eligibility Operations. In the event that Contractor determines, or DEO notifies Contractor in writing that an update to HAF Program Materials is necessary, Contractor shall develop and submit same to DEO for approval within fourteen (14) calendar days of such determination or notification. Upon DEO's approval of HAF Program Materials, Contractor shall transmit such Materials to DEO's designated Monitor.

- 2) **Submission** - By submitting HAF Program Materials to DEO for approval, Contractor represents and warrants that such HAF Program Materials are drafted to ensure full compliance with all applicable legal authorities, DEO's US Treasury-approved HAF Plan, and any additional guidelines provided by DEO. Further, by submission, Contractor acknowledges that DEO is acting in reliance upon the foregoing representation and warranty.
 - i. **DEO Recoupment** - In the event that (1) Contractor recommends a HAF Applicant as eligible for any HAF Program; (2) HAF Program Funds are issued to or for the Applicant for that Program; and (3) those Funds are thereafter deemed disallowed by the federal government for non-compliance with applicable legal authorities or DEO's US Treasury-approved HAF Plan, and the federal government therefore seeks recoupment from the State of Florida, then Contractor is absolutely liable for the disallowed funds and shall return the disallowed funds sought to DEO within 30 days of DEO's written demand. In the event DEO's designated Monitor approves Contractor's recommendation of eligibility as to a HAF Applicant and any HAF Program, Contractor's liability for the related, disallowed funds shall be joint and several with any liability of that designated Monitor for the related, disallowed funds that may exist. Notwithstanding the foregoing, Contractor shall not be liable for disallowed costs for a payment to or for a HAF Applicant where Contractor's recommendation of eligibility is based upon a fraudulent representation by a HAF Applicant not reasonably detectable by Contractor or due to a later change in guidance from the U.S. Treasury or later change in written guidance by DEO which would have the effect of causing a previous payment to an individual to become disallowed.
 - j. **Training and Equipment** - Contractor shall recruit and train staff in accordance with approved HAF Program Materials, provide all necessary equipment, and take all other steps necessary for Contractor's efficient, cost effective, and accurate HAF Program Application Review.
 - k. **Managing Expectations** – As part of Intake and Case Management, Contractor shall ensure HAF Applicants, including Applicants Contractor recommends as eligible in accordance with HAF Program Materials, know the next step in the process and are provided with clearly defined expectations, including, but not limited to a viable timeline. In addition to providing the information verbally and answering related questions, Contractor will provide the Applicant with an easily understandable written or graphic document approved by DEO that sets forth the preceding information. Such documents constitute Outreach Materials and are governed accordingly. Contractor shall ensure that Applicants understand that any preliminary determination of eligibility remains subject to further review.

- l. **Language Support** - Contractor shall ensure multi-lingual documentation translation capability for all stages of Intake and Eligibility Operations. Contactor will ensure all Intake and Call Centers can provide multi-lingual services, including, but not limited to English, Spanish, and Haitian-Creole, so as to address language issues during Intake and Case Management, both verbally and in writing.
- m. **Information Technology Security** – Throughout the provision of all services in this section, Contractor shall implement and maintain industry-standard information technology security measures to prevent fraud and abuse, and to protect Personal Identifying Information (PII) and any other confidential information provided to Contractor by HAF applicants, DEO, DEO’s designated Monitor, and the public at large.
- n. **Customer Service Standards** – Metrics-based customer service standards shall be established in the COP. For each Intake Center and Call Center, Contractor will provide a corresponding, metrics-based customer service standard accounting for time of transaction, overall number of customers served daily, and any other metrics specified in the COP. These metrics and accounting will be provided to DEO in the applicable bi-weekly report specified in section 1.1.1. Each Intake Center and Call Center must consistently meet or exceed the customer service standards established herein and the COP. In addition to the other requirements imposed by this section 1.1.2, these Customer Service Standards shall be used to evaluate whether Contractor’s Intake Centers meet the Intake and Case Management needs of the Targeted Demographics in its area, and whether Contractor’s Call Centers meet the statewide needs of the HAF Program.

1.1.3 Intake and Eligibility Operations

Forty-five (45) calendar days after DEO’s approval of the COP, or upon DEO’s approval of all HAF Materials, whichever is later (the “Date of Commencement of Intake and Eligibility Operations”), Contractor shall commence performing HAF Program Intake and Eligibility Operations in accordance with the criteria established in the HAF Plan and HAF Program Materials, and as otherwise set forth herein, as follows:

- 1) **Application Review** - Contractor shall take, process, and review all HAF Program Applications in accordance with approved HAF Program Materials. All such Intake and Case Management will be done in DEO’s SERA System. Contractor’s staff shall review Applications and make accurate eligibility recommendations for each HAF Program described in DEO’s HAF Plan. The Intake and Case Management for each HAF Program Application shall culminate in Contractor’s production of a Complete Case File.
- 2) **Complete Case File** - A Complete Case File is concerned with a single HAF Applicant address for which Contractor has completed the full Application Review Process. Contractor shall not submit more than one Complete Case File per address. A Complete Case File shall consist of, at minimum: (1) the related HAF Program Application and all other documents and information necessary for an accurate and complete eligibility recommendation in accordance with all approved HAF Program Materials; (2) Contractor’s recommendation of eligibility or ineligibility as to each HAF Program; (3) a certification, signed by the reviewing and recommending staff member(s), on behalf of Contractor, that the recommendations are made in accordance with all approved HAF Program Materials, and in full compliance with all applicable legal authorities, DEO’s US Treasury-approved HAF Plan, and any additional guidelines provided by DEO.

- 3) **Quality Assurance / Quality Control** – As part of Intake and Case Management, in addition to other necessary tasks, Contractor shall:
- i. Review HAF Program Applications and ensure all required fields are complete, and to the best of Contractor’s knowledge, correct, and ensure all required supporting documentation is included, complete, and to the best of Contractor’s knowledge, correct, including but not limited to proof of identification, income attestation, financial hardship attestation, mortgage documents, and any and all other documents required by HAF Program Materials.
 - ii. Validate to best industry standards that, if an applicant is ultimately eligible, the recipient of funds is the eligible applicant’s Service Provider.
 - iii. Review and confirm electronic payment information for Complete Case Files.
 - iv. Provide regular and transparent communication to DEO about the Application Review Process and elevate issues to DEO HAF Program staff.
 - v. Determine and document case file status.
 - vi. Perform regular quality control of case file lifecycle and eligibility assessments.
 - vii. Upon written notice by DEO or DEO’s designated Monitor, promptly furnish same with all requested records and data arising from Contractor’s performance of this Contract.
- 4) **DEO’s Designated Monitor** – DEO may designate and notify Contractor in writing of a Monitor that shall be responsible for, among other things, monitoring various aspects of Contractor’s performance of this Contract in relation to efficiency, the Contract’s terms, the approved HAF Plan, and other applicable legal authorities. DEO’s designated Monitor is utilized for the sole benefit of DEO in its administration of the HAF Program and in no way relieves Contractor of its obligations under this Contract or applicable legal authorities. All aspects of DEO’s selection and utilization of a designated Monitor are at DEO’s absolute and sole discretion. Contractor shall cooperate with all requests for access, information, and records made by DEO or the designated Monitor with reasonable notice to Contractor that are reasonably related to the aforementioned monitoring responsibilities with respect to Contractor’s performance of this Contract. In the event Contractor is in doubt about a certain obligation with respect to DEO’s designated Monitor, Contractor shall promptly notify DEO in writing of the exact nature of the issue in doubt.
- 5) **Complete Case File Monitoring** – Contractor shall promptly submit all Case Files it deems to be Complete Case Files to DEO’s designated Monitor for review of completeness and approval as accurate. Any Case Files deemed deficient for incompleteness by the Monitor shall be returned to Contractor with an explanation of any deficiencies. Contractor shall have fifteen (15) calendar days from the date of receipt of the File to cure the deficiencies and resubmit the File for review and approval. Contractor shall be paid, in the amount specified herein, for each Complete Case File approved as accurate by the Monitor for which the Applicant is recommended eligible for one or more HAF Programs (an “Eligible Complete Case File”). A Complete Case File that is not approved as an Eligible Complete Case File shall not qualify for payment (an “Ineligible Complete Case File”), unless the discrepancy between Contractor’s recommendation of eligibility and the disapproval of accuracy is clearly attributable to fraud by the HAF Program Applicant not reasonably

detected by Contractor. In the event of such, Contractor shall qualify for payment for the Complete Case File as if it were an Eligible Complete Case File; however, such a File shall not be treated as an Eligible Complete Case File for any other purpose. With respect to Contractor's right to any payment under this provision, the Monitor shall reasonably determine what constitutes an Eligible Complete Case File in accordance with the Operating Manual. DEO shall determine what constitutes fraud by the HAF Program Applicant not reasonably detected by Contractor. Contractor shall invoice for Eligible Complete Case File payment on a monthly basis. The foregoing does not limit any actions that DEO may take with respect to an Eligible Complete Case File, at its own discretion or as may be required by law. For purposes of this Complete Case File Monitoring section, in the absence of a designated Monitor, or if required by law, DEO may elect to perform one or more of the responsibilities of the Monitor.

- 6) **Case Summary** – At the time of invoicing, Contractor shall also provide DEO with a Case Summary providing details sufficient to permit DEO to accurately compare and verify Contractor's performance against DEO's designated Monitor's own reports and including any other information DEO deems necessary to confirm Contractor's performance.
- 7) **Minimum Submissions**
- i. **Daily Minimum** - Beginning on the first of the month following one-hundred twenty (120) calendar days after the Date of Commencement of Intake and Eligibility Operations (the "First Month for Minimum Submissions"), Contractor shall thereafter submit one hundred (100) Eligible Complete Case Files per day ("Daily Minimum").
 - ii. **Quarterly Waiver** – Beginning with the First Month for Minimum Submissions, for each set of three calendar months thereafter ("Quarters"), Contractor shall submit five thousand (5,000) Eligible Complete Case Files in that Quarter ("Quarterly Goal"). In the event Contractor meets its Quarterly Goal, all Financial Consequences imposed for Contractor's failure to meet a Daily Minimum for a day in that Quarter shall be waived.
 - iii. **SERA Waiver and Reduction** - For any day in which Contractor's failure to meet the Daily Minimum is clearly and provably attributable to a failure of DEO's SERA system, the Financial Consequence imposed for that day shall be waived, and the Quarterly Goal for the Quarter in which that day is calendared shall be reduced by one hundred (100) Eligible Complete Case Files.
 - iv. **Total Minimum Waiver** - Contractor shall submit enough Complete Case Files within 30 months of the Date of Commencement of Intake and Eligibility Operations to yield 20,000 Eligible Complete Case Files that lawfully and accurately obligate at least 80% of all HAF Program Funds, excluding funds approved by Treasury for administrative costs. (all together, the "Minimum Total"). The Minimum Total shall be deemed met if Contractor sooner submits enough Eligible Complete Case Files such that all HAF Program Funds are lawfully, accurately, and completely obligated. In the event that Contractor timely meets the Minimum Total, all Financial Consequences imposed for Deliverables 1-6 prior to that date shall be waived. In the event that Contractor timely meets the Minimum Total and HAF Program Funds remain, the Parties may agree in writing on a new Minimum Total and due date to thereafter govern this section.

- v. **Timing of Submissions** - For purposes of these Minimum Submission provisions, Eligible Complete Case Files shall be counted for the day in which Contractor submits the Complete Case File to DEO's designated Monitor, unless Contractor had to cure a deficiency and resubmit, in which case, the Eligible Complete Case File will be counted for the day in which the cured File was resubmitted to the Monitor.
 - vi. **Preservation of Rights and Remedies** - No waiver of Financial Consequences made pursuant to this Minimum Submissions section or elsewhere shall constitute a waiver of or otherwise hinder any legal rights or remedies held by DEO, including, but not limited to DEO's right to full recoupment of disallowed funds as provided for herein.
- 8) **Maximum Monthly Error Rate** – Contractor shall not submit Complete Case Files that yield an error rate greater than 5% per month for each month beginning sixty (60) calendar days after the Date of Commencement of Intake and Eligibility Operations. Complete Case Files are in error if DEO's designated Monitor returns the File to Contractor as deficient based on a reasonable determination of deficiency, including a description of the portion(s) of the File that is deemed deficient and the reason(s) the File was determined to be deficient. For purposes of this Maximum Monthly Error Rate provision, deficiencies will be counted for the month in which Contractor submits the deficient File.

1.1.4 Payment Disbursement

Using criteria established in the HAF Plan, HAF Program Materials, and as otherwise set forth herein, Contractor shall perform HAF Program Payment Disbursement as follows:

- a. **Working Relationships** – In accordance with the COP, Contractor will begin establishing working relationships with entities that may receive funds on behalf of Eligible HAF Applicants (for example, tax collectors, insurance companies, utility companies, mortgage servicers, internet providers, etc.).
- b. **Direct Program Payments** - Within ten (10) calendar days' written notice from DEO, or its designee, of a HAF Program Applicant's final eligibility for one or more HAF Programs, or within ten (10) calendar days after DEO makes funds available to Contractor for the purpose, whichever is later, Contractor shall issue payments in accordance with approved HAF Program Materials (a "Direct Program Payment"), either directly to that Eligible Applicant's appropriate Service Provider(s) or, if permitted by the approved HAF Program Materials, directly to the Eligible HAF Applicant. Prior to making a Direct Program Payment to a HAF Applicant, and in addition to all other documents and information required, Contractor shall obtain from the Applicant a sworn, notarized affidavit in the form and substance set forth in the HAF Materials or otherwise specified by DEO in writing. Notwithstanding any fraudulent representation by the Applicant, Contractor's failure to obtain the required affidavit shall render Contractor absolutely liable for any funds issued to the Applicant that are later disallowed.
- c. **Proof of Issuance and Satisfaction** - Within ten (10) calendar days of Direct Program Payment, Contractor shall upload into DEO's SERA system clear, conclusive evidence of the Direct Program Payment to the appropriate recipient, and clear, conclusive evidence that the Direct Program Payment satisfied the issue(s) which served as the basis for the Applicant's HAF Program eligibility. If payments directly to individuals are authorized in the HAF plan and Contractor is processing payments directly to individuals, then Contractor shall adhere to the requirements of this

paragraph for such payments; provided, however, that Contractor will only be required to provide clear, conclusive evidence that the individual’s submitted costs were eligible for payment from HAF funds.

- d. **Reissuance** - Contractor shall accept and make best efforts to correctly reissue returned Direct Program Payments (for example, returned and/or bounced Automatic Clearing House or checks) to the Eligible Applicant’s appropriate Service Provider. If Contractor is unable to resolve reissuance within sixty (60) calendar days, it will immediately give DEO written notice of same and take actions as directed by DEO in writing with respect to the returned funds
- e. **Disbursement Dashboard** – In accordance with the COP, Contractor shall develop and maintain an online dashboard, accessible to DEO, that presents live, up-to-date information on Payment Disbursement Activity, including, but not limited to the amount of HAF Program Funds disbursed, sortable individually, and in any combination, by day, week, and month, by county, and by HAF Program.

1.2 Deliverables, Tasks, Minimum Level of Service, and Financial Consequences

In accordance with the foregoing and as otherwise specified herein, Contractor shall provide the following Deliverables. In the event that a Deliverable is deemed untimely and/or unsatisfactory by DEO, the specified Financial Consequence(s) shall be imposed, and Contractor shall re-perform the deliverable as needed for submittal of a satisfactory Deliverable at no additional cost to DEO. Payment does not evidence satisfactory completion of a Deliverable. Contractor’s failure to timely/satisfactorily complete the Deliverables in accordance with this Contract, in particular, as specified in this Attachment 1, Scope of Work, will result in substantial injury to DEO and damages arising from such failure cannot be calculated with certainty. Consequently, Contractor and DEO agree that the Financial Consequences specified in this section 1.2 are reasonable compensation for same and are not intended to penalize or punish Contractor.

In the event that Contractor timely meets the Minimum Total as described above in section 1.1.3, all Financial Consequences imposed for Deliverables 1-5 prior to that date shall be waived as provided for in section 1.1.3.

The Financial Consequences provided for in this section 1.2 are not DEO’s sole remedy for Contractor’s failure to timely and satisfactorily perform. Nothing in this section 1.2 is or shall be construed as a waiver of or otherwise hinder any other legal rights or remedies held by DEO with respect to this Contract and Contractor’s performance thereof, including, but not limited to DEO’s right to full recoupment of disallowed funds as provided for herein.

Deliverable No. 1 – Comprehensive Outreach Plan (COP)		
Description	Minimum Level of Performance	Financial Consequences
In accordance with section 1.1.1, Contractor shall timely develop and submit a Comprehensive Outreach Plan (COP), and thereafter, Contractor shall timely make and submit requested updates.	Contractor shall develop a COP and submit it to DEO for approval at DEO’s sole discretion. In the event DEO does not approve of the COP submitted, DEO shall communicate the deficiencies to Contractor in writing and Contractor shall cure the deficiencies and resubmit the	Each failure to timely submit the COP, resubmit the cured COP, or submit an updated COP shall result in a reduction in payment of \$5,000 for every calendar day beyond the applicable due date(s) until submission.

	<p>COP to DEO for approval at DEO's sole discretion.</p> <p>Upon DEO's request, Contractor will make updates to the COP and submit the updated COP for approval at DEO's sole discretion</p> <p>Evidence of performance will be the approved COP, the approved updated COP, and the discretionary, written statement(s) of approval of DEO's Contract Manager.</p>	<p>Reductions shall be made from payments due for any deliverable in this Contract, as selected by DEO at its sole discretion.</p>
<p>Deliverable No. 1 – Comprehensive Outreach Plan (COP) – Up to \$752,270</p>		

<p>Deliverable No. 2 – Execution of Comprehensive Outreach Plan</p>		
<p>Description</p>	<p>Minimum Level of Performance</p>	<p>Financial Consequences</p>
<p>In accordance with section 1.1.1, Contractor shall timely execute the tasks in the approved COP.</p> <p>In accordance with section 1.1.1, Contractor shall timely provide DEO with bi-weekly reports.</p>	<p>Contractor shall complete a minimum of one (1) task as described in the approved COP</p> <p>Evidence of performance will be found in Contractor's bi-weekly reports, Outreach Materials and DEO's statement of approval, the website, the Citizen Complaints Protocol System, the Marketing Dashboard, and other evidence Contractor shall provide upon DEO's request.</p>	<p>Each failure to timely complete a task as described in the COP shall result in a reduction in payment of \$1,000 for every calendar day beyond the applicable due date until task completion.</p> <p>Failure to maintain operation of the Marketing Dashboard as described in the COP shall result in a reduction in payment of \$1,000 per calendar day the Dashboard is not fully functional.</p> <p>Each failure to provide a complete bi-weekly report by the due date specified in the COP shall result in a financial consequence of \$1,000 for every calendar day beyond the due date until the complete report is provided.</p> <p>Reductions shall be made from payments due for any deliverable in this Contract, as selected by DEO at its sole discretion.</p>
<p>Deliverable No. 2 – Execution of Comprehensive Outreach Plan – Up to \$11,718,520</p>		

Deliverable No. 3 – Intake Center and Call Center Stand-up		
Description	Minimum Level of Performance	Financial Consequences
<p>In accordance with section 1.1.2, Contractor shall timely develop and submit HAF Program Materials and thereafter, Contractor shall timely make any necessary updates. Further, Contractor shall timely set-up, staff, and operate Intake and Call Centers to provide Intake and Case Management Services.</p>	<p>Contractor shall develop and submit all HAF Program Materials in accordance with section 1.1.2.</p> <p>Contractor shall develop and submit updated HAF Program Materials, as necessary, in accordance with section 1.1.2.</p> <p>Contractor shall set-up, staff, and operate an Intake Center to both comply with all requirements of section 1.1.2 and meet or exceed the applicable Customer Service Standards</p> <p>Contractor shall set-up, staff, and operate a Call Center to comply with all requirements of section 1.1.2 and meet or exceed the applicable Customer Service Standards.</p> <p>Evidence of performance will be found in submitted HAF Program Materials, the Customer Service Metrics in Contractor’s bi-weekly reports, and other evidence Contractor shall provide upon DEO’s request.</p>	<p>Failure to timely submit initial HAF Program Materials shall result in a reduction in payment of \$1,000 for every calendar day beyond the due date until submission.</p> <p>Each failure to timely submit updated HAF Program Materials shall result in a reduction in payment of \$1,000 for every calendar day beyond the due date until submission.</p> <p>Each failure to timely set-up and staff an Intake Center such that it can meet the Intake and Case Management needs of the Target Demographic in its area shall result in a reduction of \$5,000 for every calendar day it failed in the first thirty (30) calendar days following Contractor’s Notice of Set-Up.</p> <p>After the first thirty (30) calendar days following Contractor’s applicable Notice of Set-Up, for each day in which an Intake Center fails to operate in accordance with section 1.1.2 and meet its Customer Service Standards, there shall be a reduction in payment of \$5,000. No more than two such reductions per week (Sunday through Saturday) shall be assessed with respect to any one Intake Center.</p> <p>Each failure to timely set-up and staff a Call Center such that it can meet the statewide needs of the HAF Program shall result in a reduction of \$5,000 for every calendar day it failed in the first</p>

		<p>thirty (30) calendar days following Contractor’s Notice of Set-Up.</p> <p>After the first thirty (30) calendar days following Contractor’s applicable Notice of Set-Up, for each day in which a Call Center fails to operate in accordance with section 1.1.2 and meet its Customer Service Standards, there shall be a reduction in payment of \$5,000.</p> <p>Reductions shall be made from payments due for any deliverable in this Contract, as selected by DEO at its sole discretion.</p>
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Deliverable No. 3 – Intake Center and Call Center Stand-up – Up to \$15,226,080

Deliverable No. 4 – Intake and Case Management Processing

Description	Minimum Level of Performance	Financial Consequences
<p>In accordance with section 1.1.3, Contractor shall take, process, and review HAF Program Applications and promptly submit all Complete Case Files for review of completeness and approval of accuracy. Contractor shall timely cure any deficiencies in Case File completeness and resubmit the Case File for review and approval.</p> <p>Contractor shall invoice for payment monthly and provide DEO with a sufficient Case Summary at the time of invoicing.</p> <p>Contractor shall submit enough Eligible Complete Case Files to meet its Daily Minimum submission requirement and its Quarterly Goal.</p> <p>Contractor shall be paid \$2,000 for each Eligible Complete Case File.</p>	<p>Contractor shall submit an Eligible Complete Case File in accordance with section 1.1.3.</p> <p>Evidence of performance will be the Complete Case File, Contractor’s monthly Case Summary, the Monitor’s monthly Case Summary, and other evidence Contractor shall provide upon DEO’s request.</p>	<p>Failure to timely provide a sufficient Case Summary shall result in non-payment for that month until a sufficient Case Summary is submitted.</p> <p>Failure to timely cure and resubmit a deficient Case File shall result in a fifty percent (50%) reduction in any payment that may be due for that File in the future.</p> <p>Failure to meet the Daily Minimum submission requirement shall result in a reduction in payment of \$1,000 for each Eligible Complete Case File that Contractor falls short of the Daily Minimum. This Financial Consequence shall be waived for any day in which Contractor’s failure to meet the daily minimum is clearly and provably attributable to a failure of DEO’s</p>

		<p>SERA System. In the event Contractor meets its Quarterly Goal, all Financial Consequences imposed for Contractor's failure to meet a Daily Minimum for a day in that Quarter shall be waived.</p> <p>Exceeding the maximum monthly error rate of 5% shall result in a \$1,000 reduction in payment per deficient Case File submitted that caused Contractor's error rate to exceed 5%.</p> <p>Reductions shall be made from payments due for any deliverable in this Contract, as selected by DEO at its sole discretion.</p>
<p>Deliverable No. 4 – Total not to exceed \$41,050,000</p>		

<p>Deliverable No. 5 – Payment Disbursement</p>		
<p>Description</p>	<p>Minimum Level of Performance</p>	<p>Financial Consequences</p>
<p>In accordance with section 1.1.4, Contractor shall timely make Direct Program Payments and provide DEO with proof of payment and satisfaction. Further, Contractor shall timely develop and maintain a Disbursement Dashboard.</p>	<p>Contractor shall make a Direct Program Payment.</p> <p>Evidence of performance will be the clear, conclusive proof of payment and satisfaction, the Dashboard, and other evidence Contractor shall provide upon DEO's request.</p>	<p>Each failure to timely make a Direct Program Payment shall result in a reduction in payment to Contractor of \$100 per calendar day until payment is made.</p> <p>Failure to timely develop and implement the Disbursement Dashboard shall result in a reduction in payment of \$1,000 per calendar day until implementation.</p> <p>Failure to maintain the Disbursement Dashboard shall result in a reduction in payment of \$250 per day that the Dashboard is not fully functional.</p> <p>Reductions shall be made from payments due for any deliverable in this Contract, as</p>

		selected by DEO at its sole discretion.
Deliverable No. 5 – Payment Disbursement – Up to \$5,801,420		

COST SHIFTING: The deliverable amounts specified within the table above are not intended to restrict DEO’s ability to approve and pay allowable expenses or costs incurred providing the Deliverables herein. Prior written approval from DEO’s Contract Manager is required for changes to the above Deliverable amounts that do not exceed 10% of each Deliverable total funding amount. Changes that exceed 10% of each Deliverable total funding amount will require a formal written amendment request from Contractor, as described in Modification section of the Agreement. Regardless, in no event shall DEO pay Contractor more than the total amount of this Agreement.

2.0 Staff Qualifications and Performance Criteria

Contractor shall possess the professional and technical staff necessary to perform the management consulting services required by this Contract, and the staff shall have sufficient skill and experience to perform the services assigned to them.

All the management consulting services to be furnished by the Contractor under this Contract shall meet the professional standard and quality that prevail among management consulting professionals in the same discipline and of similar knowledge and skill engaged in related work throughout Florida under the same or similar circumstances. The Contractor shall provide, at its own expense, training necessary for keeping Contractor staff abreast of industry advances and for maintaining proficiency in equipment and systems that are available on the commercial market.

Contractor shall render services in accordance with this Contract. Contractor shall maintain during the term of the Contract all licenses, permits, qualifications, insurance and approvals of whatever nature that are legally required to perform the management consulting services.

During the term of this Contract, Contractor shall be responsible for ensuring its employees, agents, and subcontractors, whenever on DEO premises, obey and comply with all rules, policies, and any other standards and procedures, which must be adhered to by DEO’s employees and vendors.

2.1 Background Screenings

DEO has designated certain duties and positions as positions of special trust because they involve special trust responsibilities, are located in sensitive locations or have key capabilities with access to sensitive or

confidential information. The designation of a special trust position or duties is at the sole discretion of DEO.

Contractor or Contractor's employees, agents, or subcontractors, who in the performance of this Contract will be assigned to work in a position determined by DEO to be a position of special trust are required to submit to a Level 2 background screening and be approved to work in a special trust position prior to being assigned to this project.

Level 2 screenings include Livescan fingerprinting of individuals and submission of the fingerprints through the Florida Department of Law Enforcement (FDLE) for a local, state and National Crime Information Center (NCIC) check of law enforcement records through the Federal Bureau of Investigation (FBI).

In accordance with section 112.011, F.S., Contractor or Contractor's employees, agents, or subcontractors who have been convicted of Disqualifying Offenses, shall not be assigned to this Contract. Disqualifying Offenses include, but are not limited to, theft, fraud, forgery, embezzlement, crimes of violence or any similar felony or first-degree misdemeanor offenses directly related to the position sought. Screening results indicating convictions of Disqualifying Offenses will result in a Contractor, Contractor employee, agent, or subcontractor not being allowed to work on this Contract.

All costs incurred in obtaining background screening shall be the responsibility of the Contractor. The results of the screenings are confidential and will be provided by secure email transmission from FDLE to DEO and will be maintained by DEO. DEO's Contract Manager will provide written approval/disapproval of the Contractor's employees, agent, or subcontractor to the Contractor. Contractor employees, agents, or subcontractors are prohibited from performing any work under this project until written approval of the employee is received from DEO's Contract Manager. DEO reserves the right to make final determinations on suitability of all Contractor employees, agents, or subcontractors assigned to this project.

2.2 Staffing Changes

Contractor may make staffing changes or cost shifting of staff assigned to this Contract only with prior review and written approval of DEO's Contract Manager. DEO's Contract Manager must be notified in writing at least ten (10) calendar days prior to a potential change in staff. Notifications must include the candidate's name, résumé, position, title, starting date, and references. DEO's Contract Manager reserves the right to interview all potential staff prior to beginning work on the project. DEO reserves the right to request the replacement of any staff through written notification to Contractor. In the event of a staff change or cost shifting, an amendment to this Contract (and the corresponding change order to the Purchase Order) shall only be required if the change of staff also results in a change of the hourly rate.

If a staffing change occurs, with each invoice submitted thereafter, Contractor shall also submit a copy of the notification letter citing the applicable staffing changes as approved, signed, and dated by DEO's Contract Manager.

2.3 Reserved

2.4 Prohibition Against Contracting with Scrutinized Companies; Contractor Certifications

Contractor is ineligible to, and may not, bid on, submit a proposal for, or enter into or renew this contract with DEO if, at the time of bidding on, submitting a proposal for, or entering into or renewing such Contract, the company is on the Scrutinized Companies that Boycott Israel List, created pursuant to section 215.4725, F.S., or is engaged in a boycott of Israel. At the time Contractor submits a bid or proposal for this Contract, Contractor must certify that it is not participating in a boycott of Israel. DEO may terminate this Contract at its option if Contractor is found to have been placed on the Scrutinized Companies that Boycott Israel List or is engaged in a boycott of Israel.

In addition to the provisions in the preceding paragraph, If the value of this Contract is \$1,000,000 or more, not including renewal years, Contractor is ineligible to, and may not, bid on, submit a proposal for, or enter into or renew this Contract with DEO if, at the time of bidding on, submitting a proposal for, or entering into or renewing such Contract, Contractor is on the Scrutinized Companies with Activities in Sudan List or the Scrutinized Companies with Activities in the Iran Petroleum Energy Sector List, created pursuant to section 215.473, F.S., or is engaged in business operations in Cuba or Syria. Furthermore, at the time Contractor submits a bid or proposal for such a Contract, Contractor must also certify that the company is not on the Scrutinized Companies with Activities in Sudan List or the Scrutinized Companies with Activities in the Iran Petroleum Energy Sector List and that it does not have business operations in Cuba or Syria. DEO may terminate this Contract at its option if Contractor is found to have submitted a false certification under this section 2.4, been placed on the Scrutinized Companies with Activities in Sudan List or the Scrutinized Companies with Activities in the Iran Petroleum Energy Sector List, or been engaged in business operations in Cuba or Syria.

3.0 DEO Contract Liaisons

DEO designates as its Contract Manager, Michael DiNapoli, who can be contacted by telephone at (850) 717-8966 or by email at Michael.DiNapoli@deo.myflorida.com.

DEO designates as its Project Manager, Michael DiNapoli, who can be contacted by telephone at (850) 717-8966 or by email at Michael.DiNapoli@deo.myflorida.com.

4.0 Reserved

5.0 Invoicing Instructions

In accordance with subsection 287.058(1)(a), F.S. and Section I., G., of the Vendor Core Contract, Contractor will provide DEO's Contract Manager invoices in sufficient detail for a proper pre-audit and post-audit thereof. All invoices must be submitted on a monthly basis to DEO's Contract Manager in accordance with the State of Florida Reference Guide for State Expenditures.

Invoices must clearly reflect the services/deliverables that were provided according to the terms of the Contract and include the number of hours worked at the hourly rate for each State Term Contract ("STC") position, STC job title and the tasks that were provided during the invoice period, and the respective Deliverable(s).

Travel, if approved by DEO, will only be reimbursed in accordance with section 112.061, F.S. Travel must be pre-approved in writing by DEO's Contract Manager. Each request to incur travel expenses should be submitted following procedures specified in the following link:

https://sharepoint.deo.myflorida.com/finan_mgt/Manuals/Travel%20Manual%203.05.pdf

The procedures described in the DEO Travel Manual are hereby incorporated by reference.

Performance under this Contract shall be done on an hourly basis, not to exceed the number of hours authorized per job number, job title, and scope variant as specified below. Notwithstanding the foregoing limitations, Contractor shall be paid a fixed project-rate for Deliverable 4, as specified therein. For avoidance of doubt, Contractor’s performance under Deliverable 4, along with the other Deliverables, is limited by hours authorized per job number, job title, and scope variant as specified below, however, Contractor shall only be paid the fixed rate per Eligible Complete Case File specified in Deliverable 4. Contractor shall not be paid an hourly rate for performance under Deliverable 4.

Management Consulting State Term Contract 80101500-20-1				
Management Consulting Services				
Job Title	State Term Contract Maximum Hourly Rate	DEO Discounted Labor Rate	Estimated Total Hours	Total Cost
Principal	\$242	\$242	23,688	\$5,732,496.00
Senior Consultant	\$195	\$195	62,832	\$12,252,240.00
Consultant	\$175	\$175	120,960	\$21,168,000.00
Junior Consultant	\$135	\$135	205,632	\$27,760,320.00
Program & Administrative Support	-	-	0	\$0.00
TOTAL				\$66,913,056.00

Deliverable	Total Cost
Deliverable No. 1 – Comprehensive Outreach Plan (COP)	Up to \$752,270
Deliverable No. 2 – Execution of Comprehensive Outreach Plan	Up to \$11,718,520
Deliverable No. 3 – Intake Center and Call Center Stand-up	Up to \$15,226,080
Deliverable No. 4 – Intake and Case Management Processing	Up to \$41,050,000
Deliverable No. 5 – Payment Disbursement	Up to \$5,801,420
TOTAL	Up to \$74,548,290

The State of Florida and DEO’s performance and obligation to pay under this Contract is contingent upon an annual appropriation by the Legislature and availability of any and all applicable federal funds. DEO shall be the final authority as to the availability of funds for this Contract, and as to what constitutes an “annual appropriation” of funds to complete this Contract.

- End of Attachment 1 (Scope of Work) -

Attachment 2

CERTIFICATIONS AND ASSURANCES

DEO will not award this Contract unless Contractor completes the CERTIFICATIONS AND ASSURANCES contained in this Attachment. In performance of this Contract, Contractor provides the following certifications and assurances:

- A. Debarment and Suspension Certification (29 CFR Part 95 and 45 CFR Part 75)
 - B. Certification Regarding Lobbying (29 CFR Part 93 and 45 CFR Part 93)
 - C. Nondiscrimination & Equal Opportunity Assurance (29 CFR Part 37 and 45 CFR Part 80)
 - D. Certification Regarding Public Entity Crimes, section 287.133, F.S.
 - E. Association of Community Organizations for Reform Now (ACORN) Funding Restrictions Assurance (Pub. L. 111-117)
 - F. Certification Regarding Scrutinized Companies Lists, section 287.135, F.S.
- A. **CERTIFICATION REGARDING DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS – PRIMARY COVERED TRANSACTION.**

The undersigned Contractor certifies to the best of its knowledge and belief, that it and its principals:

1. Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by a Federal department or agency;
2. Have not within a three-year period preceding this Contract been convicted or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
3. Are not presently indicted or otherwise criminally or civilly charged by a government entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph A.2. of this certification; and/or
4. Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State, or local) terminated for cause of default.

- B. **CERTIFICATION REGARDING LOBBYING** – Certification for Contracts, Grants, Loans, and Cooperative Agreements.

The undersigned Contractor certifies, to the best of its knowledge and belief, that:

No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative

agreement, and the extension, continuation, renewal, amendment or modification of any Federal contract, grant, loan or cooperative agreement.

If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employees of Congress, or employee of a Member of Congress in connection with a Federal contract, grant, loan, or cooperative agreement, the undersigned shall also complete and submit Standard Form – LLL, “Disclosure Form of Lobbying Activities,” in accordance with its instructions.

The undersigned shall require that language of this certification be included in the documents for all subcontracts at all tiers (including subcontracts, sub-grants and contracts under grants, loans and cooperative agreements) and that all sub-recipients and contractors shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this Contract was made or entered into. Submission of this certification is a prerequisite for making or entering into this Contract imposed by 31 U.S.C. 1352. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

C. NON-DISCRIMINATION & EQUAL OPPORTUNITY ASSURANCE (29 CFR PART 37 AND 45 CFR PART 80).

As a condition of the Contract, Contractor assures that it will comply fully with the nondiscrimination and equal opportunity provisions of the following laws:

1. Section 188 of the Workforce Investment Act of 1998 (WIA), (Pub. L. 105-220), which prohibits discrimination against all individuals in the United States on the basis of race, color, religion, sex national origin, age, disability, political affiliation, or belief, and against beneficiaries on the basis of either citizenship/status as a lawfully admitted immigrant authorized to work in the United States or participation in any WIA Title I-financially assisted program or activity;
2. Title VI of the Civil Rights Act of 1964 (Pub. L. 88-352), as amended, and all requirements imposed by or pursuant to the Regulation of the Department of Health and Human Services (45 CFR Part 80), to the end that, in accordance with Title VI of that Act and the Regulation, no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the Applicant receives Federal financial assistance from the Department.
3. Section 504 of the Rehabilitation Act of 1973 (Pub. L. 93-112) as amended, and all requirements imposed by or pursuant to the Regulation of the Department of Health and Human Services (45 CFR Part 84), to the end that, in accordance with Section 504 of that Act, and the Regulation, no otherwise qualified handicapped individual in the United States shall, solely by reason of his handicap, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity for which the Applicant receives Federal financial assistance from the Department.
4. The Age Discrimination Act of 1975 (Pub. L. 94-135), as amended, and all requirements imposed by or pursuant to the Regulation of the Department of Health and Human Services (45 CFR Part 91), to the end that, in accordance with the Act and the Regulation, no person in the United States

shall, on the basis of age, be denied the benefits of, be excluded from participation in, or be subjected to discrimination under any program or activity for which the Applicant receives Federal financial assistance from the Department.

5. Title IX of the Educational Amendments of 1972 (Pub. L. 92-318), as amended, and all requirements imposed by or pursuant to the Regulation of the Department of Health and Human Services (45 CFR Part 86), to the end that, in accordance with Title IX and the Regulation, no person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any education program or activity for which the Applicant receives Federal financial assistance from the Department.
6. The American with Disabilities Act of 1990 (Pub. L. 101-336), prohibits discrimination in all employment practices, including, job application procedures, hiring, firing, advancement, compensation, training, and other terms, conditions, and privileges of employment. It applies to recruitment, advertising, tenure, layoff, leave, fringe benefits, and all other employment-related activities, and;

Contractor also assures that it will comply with 29 CFR Part 38 and all other regulations implementing the laws listed above. This assurance applies to Contractor's operation of the WIA Title I – financially assisted program or activity, and to all agreements Contractor makes to carry out the WIA Title I – financially assisted program or activity. Contractor understands that DEO and the United States have the right to seek judicial enforcement of the assurance.

D. CERTIFICATION REGARDING PUBLIC ENTITY CRIMES, SECTION 287.133, F.S.

Contractor hereby certifies that neither it, nor any person or affiliate of Contractor, has been convicted of a Public Entity Crime as defined in section 287.133, F.S., nor placed on the convicted vendor list.

Contractor understands and agrees that it is required to inform DEO immediately upon any change of circumstances regarding this status.

E. ASSOCIATION OF COMMUNITY ORGANIZATIONS FOR REFORM NOW (ACORN) FUNDING RESTRICTIONS ASSURANCE (Pub. L. 111-117).

As a condition of the Contract, Contractor assures that it will comply fully with the federal funding restrictions pertaining to ACORN and its subsidiaries per the Consolidated Appropriations Act, 2010, Division E, Section 511 (Pub. L. 111-117). The Continuing Appropriations Act, 2011, Sections 101 and 103 (Pub. L. 111-242), provides that appropriations made under Pub. L. 111-117 are available under the conditions provided by Pub. L. 111-117.

The undersigned shall require that language of this assurance be included in the documents for all subcontracts at all tiers (including subcontracts, sub-grants and contracts under grants, loans and cooperative agreements) and that all Recipient and/or Subrecipients and contractors shall provide this assurance accordingly.

F. SCRUTINIZED COMPANIES LISTS CERTIFICATION, SECTION 287.135, F.S.

If this Contract is in the amount of \$1 million or more, in accordance with the requirements of section 287.135, F.S., Contractor hereby certifies that it is not listed on either the Scrutinized Companies with Activities in Sudan List or the Scrutinized Companies with Activities in the Iran Petroleum Energy Sector List. Both lists are created pursuant to section 215.473, F.S.

Contractor understands that pursuant to section 287.135, F.S., the submission of a false certification may subject Contractor to civil penalties, attorney's fees, and/or costs.

If Contractor is unable to certify to any of the statements in this certification, Contractor shall attach an explanation to this Contract.

By signing below, Contractor certifies the representations outlined in parts A through F above are true and correct.



Vice President

(Signature and Title of Authorized Representative)

The North Highland Company, LLC 3/22/2022

Contractor

Date

3800 Esplanade Way Suite 160

(Street)

Tallahassee, Florida 32311

(City, State, ZIP Code)

- End of Attachment 2 -

Attachment 3

State and Federal Statutes, Regulations, and Policies

The Contractor agrees to, and, by signing this Contract, certifies that, it shall comply with all applicable Federal, State and local laws, regulations, and policies governing the funds provided under this Contract, including, but not limited to the following:

1. Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, 2 C.F.R. Part 200;
2. Universal Identifier and System for Award Management (SAM), 2 C.F.R. Part 25;
3. Reporting Subaward and Executive Compensation Information, 2 C.F.R. Part 170;
4. OMB Guidelines to Agencies on Governmentwide Debarment and Suspension (Nonprocurement), 2 C.F.R. Part 180 (including the requirement to include a term or condition in all lower tier covered transactions (contracts and subcontracts described in 2 C.F.R. Part 180, subpart B) that the award is subject to 2 C.F.R. Part 180 and Treasury's implementing regulation at 31 C.F.R. Part 19);
5. Governmentwide Requirements for Drug-Free Workplace, 31 C.F.R. Part 20; and
6. New Restrictions on Lobbying, 31 C.F.R. Part 21.

- End of Attachment 3 -

From: /O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=E1B65E53BD4B4E65B15DBF19FA0CDD50-KELLY, ALEX

Sent: Monday, April 4, 2022 7:43 PM

To: Oglesby, Emilie [Emilie.Oglesby@deo.myflorida.com]; Ivey, Meredith [Meredith.Ivey@deo.myflorida.com]; Eagle, Dane [Dane.Eagle@deo.myflorida.com]

CC: Mahon, Jason [Jason.Mahon@eog.myflorida.com]; Booker, Sydney [Sydney.Booker@eog.myflorida.com]; Kelly Jefferson, Savannah [Savannah.KellyJefferson@eog.myflorida.com]

Subject: RE: Updated CDBG-CV/RIF

Attachments: Done & On-Deck CDBG-CV 1 & RIF Grants 4-8-22.xlsx

Perfect, and just looping others in:

- So, for Friday in Gulf County, we'll also include the following from the first list below, since they are in the Panhandle and they are ready.
- And for when we do Gadsden, we'll then have three to award for when Gadsden is scheduled from the second list below.

Great news!

CDBG-CV/RIF SCHEDULED TO BE AW				
Grant Type	Applicant	County	Project Title	Project De
CDBG	Town Century	Escambia		The Town of Century proposes to use CDBG-CV fun for use as a testing and immunization center and th childcare and senior services.
CDBG	Town of Ponce De Leon	Holmes		CDBG-CV funds will be used to renovate and expan building.
CDBG	Town of Alford	Jackson		The Town will use funding to implement improvem preparing for and responding to the Coronavirus a
CDBG	City of Marianna	Jackson		The City will use the CDBG-CV award to construct conditioning improvements to include a fixed air p construction of a Bio-Hazard Isolation Room for co health and rehabilitation center.
CBDG	Town of Jay	Santa Rosa		The Town of Jay proposes to use the CDBG-CV fun order to better accommodate Covid immunization safety of the residents who use the facilities.
AVAILABLE TO A				
Grant Type	Applicant	County	Project Title	Project De

RIF	City of Gretna	Gadsden	City of Gretna Highway 12/ Brinson Road & Utilities Improvements	To support construction of a waterline and forcem conclusion of the improvements and the edge of t City of Gretna.
CDBG	City of Chattahoochee	Gadsden		The City of Chattahoochee will use the CDBG-CV av vacant old public school building for use as a senior
CDBG	City of Gretna	Gadsden		The City will use the CDBG-CV award to construct i allow it to provide services.

J. Alex Kelly
 Deputy Chief of Staff
 Executive Office of the Governor
 (850) 443-8626
alex.kelly@eog.myflorida.com

From: Oglesby, Emilie <Emilie.Oglesby@deo.myflorida.com>
Sent: Monday, April 4, 2022 7:09 PM
To: Kelly, Alex <Alex.Kelly@eog.myflorida.com>
Cc: Ivey, Meredith <Meredith.Ivey@deo.myflorida.com>; Eagle, Dane <Dane.Eagle@deo.myflorida.com>; Booker, Sydney <Sydney.Booker@eog.myflorida.com>
Subject: Updated CDBG-CV/RIF

Hey Alex,

Please see the attached updated spreadsheet. I've added a new color (green) for additional awards ready to announce. Please note, there is one round 3 CDBG-CV for Gadsden County that became ready this afternoon.

Emilie Oglesby
 Director of Communications and External Affairs

Florida Department of Economic Opportunity
www.FloridaJobs.org



This email communication may contain confidential information protected from disclosure by privacy laws and is intended for the use of the individual named above. If the reader of this message is not the intended recipient, this is notice to you that any dissemination, distribution or copying of this communication or any attachment to it may be a violation of federal and state privacy laws. If you have received this email in error, please notify the sender immediately by return email and delete this message. Please note that Florida has a broad public records law, and that all correspondence to me via email may be subject to disclosure. Under Florida law email addresses are public records.

CDBG-CV/RIF SCHEDULED TO BE AWARDED- FRIDAY APRIL 8, 2022

Grant Type	Applicant	County	Project Title	Project Description	Amount Awarded	Possible Event Location
CDBG	Town Century	Escambia		The Town of Century proposes to use CDBG-CV funding to renovate the Carver Community Center for use as a testing and immunization center and the Town of Century Community Center for childcare and senior services.	\$ 3,255,000.00	NOTE: Part of Round 2 ready to announce
RIF	City of Port St. Joe	Gulf	Waterline Improvement Project	Downtown Revitalization project to install new waterline in downtown commercial district, including final engineering design, site plans approval, permitting, bidding, contractor selection and construction.	\$ 675,426.00	
RIF	City of Bonifay	Holmes	South Bonifay Stormwater Study	Conduct a detailed study and preliminary design plan to address the drainage infrastructure along SR 79 and St. Johns Road in Bonifay. The study will identify options to mitigate flooding on the south side of the city. The project includes conducting site investigations, create preliminary drainage maps, surveys, survey drawing, complete geotechnical reports, preliminary hydraulic modeling analysis, design plans, opinion of probable cost and preliminary engineering report.	\$ 245,075.00	
CDBG	Holmes County	Holmes		The County will use CDBG-CV funding to renovate and expand the existing county-owned senior center located in Bonifay, Florida.	\$ 954,000.00	BOCC - 107 E Virginia Ave, Bonifay, FL 32425
RIF	Holmes County	Holmes	North SR79 Commercial Corridor Drainage Study	Conduct a drainage study of the commercial corridor along SR79 north of Bonifay, including identification of the drainage basin, analysis of existing drainage conveyance capacity and development of drainage improvement strategies. The study will also include recommended drainage improvements, preliminary plans, permitting requirements, costs estimates and identification potential funding sources.	\$ 154,000.00	
RIF	Town of Ponce de Leon	Holmes	Ponce de Leon Wastewater Services Extension Study	Conduct a study for the Ponce de Leon Wastewater Services Extension, including a preliminary engineering study and report to support the development and funding of construction projects to extend and expand wastewater infrastructure and services along Highway 81 in and around the town of Ponce de Leon and a connector North of Interstate 10.	\$ 196,500.00	
CDBG	Town of Ponce De Leon	Holmes		CDBG-CV funds will be used to renovate and expand the Multipurpose Recreation Center (MRC) building.	\$ 950,000.00	NOTE: Part of Round 2 ready to announce
CDBG	City of Cottondale	Jackson		The City of Cottondale will rehabilitate the City's Community Center for use as a local COVID-19 testing and vaccination site.	\$ 1,426,659.00	City Hall - 2659 Front St, Cottondale, FL 32431
RIF	City of Cottondale	Jackson	Commercial Area Revitalization Project	Improvements to the downtown commercial area in the City of Cottondale, including new public parking, improve two sanitary manholes, improve traffic management and pedestrian access projects to assist with capture of pass by traffic, streetscape improvements to US 90 and US 231, a comprehensive infrastructure improvement plan.	\$ 1,000,000.00	
RIF	City of Jacob	Jackson	Jacob City Broadband Infrastructure Planning Project	Conduct a feasibility study to identify and address broadband internet availability, accessibility, affordability and transmission speeds.	\$ 144,500.00	
RIF	City of Marianna	Jackson	Mashburn Road and Utility Improvements	Completion of the construction for Mashburn Road leading to the Endeavor Industrial Site for project Blue Sky, in the City of Marianna, including finalization of approximately 2,500 LF of roadway improvements, stormwater, water extensions, wastewater extensions, and natural gas extensions and improvements. Including engineering/CEI services. The increase cost of material and shipping to complete RIF agreement #D0131 (\$1,550,500).	\$ 992,000.00	
CDBG	Jackson County	Jackson		The Jackson Hospital Air Purification Improvement Project will undertake the renovation of the Hospital's 3rd Floor Progressive Care Unit HVAC system to provide each patient room with individualized, fixed negative/positive air pressure capabilities.	\$ 2,879,000.00	BOCC - 2864 Madison St, Marianna, FL 32448
RIF	Jackson County	Jackson	Blue Springs Campground	Design and development of a complete set of plans and specifications including surveys and permits to engineer a Campground/RV park to be tentatively located on the eastern section of Blue Springs Recreational Area Park. The Design services will include analysis of the existing site, coordinate concept plans, illustrate designs, design review, cover sheet, construction estimates and a permitting package.	\$ 106,500.00	

RIF	Jackson County	Jackson	SR71 Commercial Park Phase 1- Project GLAD	Phase 1 of Project GLAD, to design, permit, inspect and construct public roadways and utilities from 2099 FL State Road 71, into the Commercial Park, located in Marianna, south of the Interstate 10 exchange in Jackson County. Phase 1 includes, construction of main access roadway, secondary roadway, road improvements to SR71, storm water infrastructure and the extension of water and sewer utilities.	\$ 994,712.10	
RIF	Town of Campbellton	Jackson	Campbellton Wastewater and Natural Gas Extension	Conduct a Wastewater and Natural Gas Extension Study for the Town of Campbellton to define the utility routes, supporting infrastructure, internal town service lines, preliminary engineering and plans to support permitting.	\$ 281,500.00	
CDBG	Town of Alford	Jackson		The Town will use funding to implement improvements to the Alford Community Center to assist in preparing for and responding to the Coronavirus and other potential pandemics.	\$ 250,262.00	NOTE: Part of Round 2 ready to announce
CDBG	City of Marianna	Jackson		The City will use the CDBG-CV award to construct critically needed heating, ventilation, and air conditioning improvements to include a fixed air purification system and a facility expansion for construction of a Bio-Hazard Isolation Room for containment of materials and waste in a long-term health and rehabilitation center.	\$ 3,996,209.00	NOTE: Part of Round 2 ready to announce
CDBG	City of Fort Walton Beach	Okaloosa		The City will partner will two (2) local entities (Bridgeway Health Clinic & Bridgeway Center) to provide medical testing,lab work,or prescription medication.	\$ 58,703.00	City Hall - 107 Miracle Strip Pkwy SW, Fort Walton Beach, FL 32548
RIF	Town of Jay	Santa Rosa	Town of Jay Bray Hendricks Sports Complex Renovation	Partial funding of a \$3.3 million project for construction services for the renovation of Bray-Hendricks Sports Complex, including installation of one competition softball field, four baseball fields, two tee-ball fields, batting cages, four tennis courts, two basketball courts, soccer fields, a football field, amphitheater, concession buildings with meeting rooms, and ADA compliant bathrooms.	\$ 300,000.00	
CDBG	Town of Jay	Santa Rosa		The Town of Jay proposes to use the CDBG-CV funding to renovate the Jay Community Center in order to better accommodate Covid immunization services at the site and to ensure the health and safety of the residents who use the facilities.	\$ 1,072,500.00	NOTE: Part of Round 2 ready to announce
RIF	Wakulla County	Wakulla	Wakulla Project Gamestop Extension of Natural Gas	Extension of natural gas service to Opportunity Park, for service to income participating party.	\$ 220,044.00	
CDBG	City of Paxton	Walton		The City of Paxton will use the CDBG-CV funding to construct a new Senior Center of approximately 3,000 sq. ft. on City-owned property in Paxton.	\$ 1,129,640.00	City Hall - 21872 U.S. Hwy 331 N Laurel Hill, FL 32567
					\$ 21,282,230.10	

AVAILABLE TO ANNOUNCE

Grant Type	Applicant	County	Project Title	Project Description	Amount Awarded	Possible Event Location
RIF	Hardee County Industrial Development Authority	Hardee	Hardee County Industrial Development Authority Design and Engineering Project	Design and engineering of a building in the Hardee County Commerce Park for incoming job creator, Hardee Nutritional, LLC. Project will match current investments to fund civil engineering and architectural design services and permitting.	\$ 34,434.65	
CDBG	Lake County	Lake		A Mobile Food Pantry will provide a source of emergency food for those in rural areas that cannot access centrally located food pantries.	\$ 653,511.00	BOCC - 315 W Main St #3813, Tavares, FL 32778
CDBG	City of Fort Meade	Polk		The City of Fort Meade will install city-wide broadband Internet service for the residents of Fort Meade and provide the LMI residents that reside there with six (6) months of service at no cost.	\$ 5,000,000.00	City Hall - 8 W Broadway St, Fort Meade, FL 33841
CDBG	City of Lake Wales	Polk		The City of Lake Wales will utilize CDBG-CV funds to construct sidewalk improvements to promote social distancing.	\$ 1,193,660.00	City Hall - 201 W. Central Ave Lake Wales, Florida 33880
CDBG	City of St. Augustine	St. Johns		The City of St. Augustine will use the CDBG-CV funds for St. Francis House Crisis Shelter to complete the renovation of the existing building at 64 Washington St. in St. Augustine, Florida.	\$ 1,251,229.00	City Hall - 75 King Street, St. Augustine, FL 32085
CDBG	St. Johns County	St. Johns		This project will construct an annex building to the County Emergency Operations Center, which will allow the County to train inoculation administration, train COVID-19 test administration, to distribute PPE, and for response and recovery resource storage, such as PPE and hand washing stations.	\$ 406,633.00	BOCC - 500 San Sebastian View, St. Augustine, FL 32084
RIF	City of Gretna	Gadsden	City of Gretna Highway 12/ Brinson Road & Utilities Improvements	To support construction of a waterline and forcemain from Highway 12 down Brinson Road to the conclusion of the improvements and the edge of the site for Insurance Auto Auctions, Inc. in the City of Gretna.	\$ 504,100.00	
CDBG	City of Chattahoochee	Gadsden		The City of Chattahoochee will use the CDBG-CV award to rehabilitate and improve a donated vacant old public school building for use as a senior center.	\$ 3,789,000.00	City Hall 22 Jefferson Street Chattahoochee, Florida 32324
CDBG	City of Gretna	Gadsden		The City will use the CDBG-CV award to construct improvements to its community center that will allow it to provide services.	\$ 2,253,500.00	NOTE: Part of Round 3 ready to announce
					\$ 15,086,067.65	

AWARDED

Grant Type	Applicant	County	Project Title	Project Description	Amount Awarded	Possible Event Location
CDBG	City of Pompano Beach	Broward		Provide relief of rental payments for up to six (6) months to alleviate the housing burden for low income households (at or below 80% AMI) that have lost or had their incomes reduced as a result of COVID-19. The primary goal of this program is to provide greater economic security to renters as well as the owners of the rental property. All payments made on behalf of the applicant will be paid directly to the vendor. Project service area will be city-wide and the program will be carried out by City Staff.	\$ 518,651.00	City Hall - 100 W Atlantic Blvd, Pompano Beach, FL 33060
CDBG	City of Sunrise	Broward		This installation will address Internet accessibility needs to the City's LMI residents at City properties, specifically, Roarke Hall, City Park, and Village Beach Club. Access to Wi-Fi will address the remote employment, education, and consultation needs of the City's LMI residents, while maintaining ongoing social distancing.	\$ 268,332.93	City Hall - 10770 W Oakland Park Blvd, Sunrise, FL 33351
RIF	City of Moore Haven	Glades	City of Moore Haven Construction to Downtown Revitalization Stormwater and Roadway Infrastructure Improvement	Construction of downtown revitalization improvements of the roadway and stormwater drainage infrastructure as designed in the downtown area, including connecting pathways along the Riverfront and connecting Marina.	\$ 898,975.00	
RIF	City of Moore Haven	Glades	City of Moore Haven Downtown Revitalization Stormwater and Roadway Improvement	Downtown Revitalization stormwater and roadway improvements project includes engineering design for roadway and stormwater drainage infrastructure improvements.	\$ 185,127.00	
RIF	City of Fellsmere	Indian River County	Headwaters Commerce Park Sewer Extension	Construction of sewer extension to the Headwaters Commerce Park to increase wastewater discharge capacity, allowing expansion of current businesses and attracting new and diverse businesses to the park.	\$ 750,000.00	
RIF	Town of Greenville	Madison	Town of Greenville Utility Expansion Feasibility Study and Pre-Design Services	Preparation of a feasibility study and preliminary engineering services to extend centralized water and sewer services to the route along the Honey Lake health facility Clinic and the Town limits.	\$ 300,000.00	
CDBG	Monroe County	Monroe		Monroe County will use the CDBG-CV award to construct some improvements to the facilities located at Rowell's Waterfront Park. https://www.monroecounty-fl.gov/1127/Rowells-Waterfront-Park	\$ 2,956,534.00	Monroe County BOCC - 500 Whitehead St, Key West, FL 33040
CDBG	City of Palatka	Putnam		The City will use CDBG-CV to widen sidewalks and paths in the residential neighborhoods leading into the downtown commercial area.	\$ 5,000,000.00	City Hall - 201 N 2nd St, Palatka, FL 32177
RIF	City of Palatka	Putnam	City of Palatka Business Park Sanitary Sewer Infrastructure Project, Phase 1	Expansion of lift station located at St. John's Avenue and Zeagler Drive in the City of Palatka, which is Phase 1 of the Sanitary Sewer Infrastructure Project extending services to the business park.	\$ 340,195.12	
CDBG	Suwannee County	Suwannee		Construction of a facility on County-owned property to provide temporary shelter to COVID-19 infected residents from the Suwannee County and first responders who cannot otherwise provide their own means of quarantine and separation from uninfected people when necessary.	\$ 5,000,000.00	BOCC - 13150 Voyles St, Live Oak, FL 32060
					\$ 16,217,815.05	

From: Kelly, Alex [Alex.Kelly@eog.myflorida.com]
Sent: Monday, April 4, 2022 7:46 PM
To: Oglesby, Emilie [Emilie.Oglesby@deo.myflorida.com]; Ivey, Meredith [Meredith.Ivey@deo.myflorida.com]; Eagle, Dane [Dane.Eagle@deo.myflorida.com]
CC: Mahon, Jason [Jason.Mahon@eog.myflorida.com]; Booker, Sydney [Sydney.Booker@eog.myflorida.com]; Kelly Jefferson, Savannah [Savannah.KellyJefferson@eog.myflorida.com]
Subject: RE: Updated CDBG-CV/RIF
Attachments: Done & On-Deck CDBG-CV 1 & RIF Grants 4-8-22.xlsx

Perfect, and just looping others in:

- So, for Friday in Gulf County, we'll also include the following from the first list below, since they are in the Panhandle and they are ready.
- And for when we do Gadsden, we'll then have three to award for when Gadsden is scheduled from the second list below.

Great news!

CDBG-CV/RIF SCHEDULED TO BE AW				
Grant Type	Applicant	County	Project Title	Project De
CDBG	Town Century	Escambia		The Town of Century proposes to use CDBG-CV funds for use as a testing and immunization center and the childcare and senior services.
CDBG	Town of Ponce De Leon	Holmes		CDBG-CV funds will be used to renovate and expand building.
CDBG	Town of Alford	Jackson		The Town will use funding to implement improvements preparing for and responding to the Coronavirus and
CDBG	City of Marianna	Jackson		The City will use the CDBG-CV award to construct conditioning improvements to include a fixed air purification construction of a Bio-Hazard Isolation Room for community health and rehabilitation center.
CDBG	Town of Jay	Santa Rosa		The Town of Jay proposes to use the CDBG-CV funds in order to better accommodate Covid immunization safety of the residents who use the facilities.
AVAILABLE TO A				
Grant Type	Applicant	County	Project Title	Project De

RIF	City of Gretna	Gadsden	City of Gretna Highway 12/ Brinson Road & Utilities Improvements	To support construction of a waterline and forcem conclusion of the improvements and the edge of th City of Gretna.
CDBG	City of Chattahoochee	Gadsden		The City of Chattahoochee will use the CDBG-CV av vacant old public school building for use as a senior
CDBG	City of Gretna	Gadsden		The City will use the CDBG-CV award to construct i allow it to provide services.

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From: Oglesby, Emilie <Emilie.Oglesby@deo.myflorida.com>
Sent: Monday, April 4, 2022 7:09 PM
To: Kelly, Alex <Alex.Kelly@eog.myflorida.com>
Cc: Ivey, Meredith <Meredith.Ivey@deo.myflorida.com>; Eagle, Dane <Dane.Eagle@deo.myflorida.com>; Booker, Sydney <Sydney.Booker@eog.myflorida.com>
Subject: Updated CDBG-CV/RIF

Hey Alex,

Please see the attached updated spreadsheet. I've added a new color (green) for additional awards ready to announce. Please note, there is one round 3 CDBG-CV for Gadsden County that became ready this afternoon.

Emilie Oglesby
 Director of Communications and External Affairs

Florida Department of Economic Opportunity
www.FloridaJobs.org



This email communication may contain confidential information protected from disclosure by privacy laws and is intended for the use of the individual named above. If the reader of this message is not the intended recipient, this is notice to you that any dissemination, distribution or copying of this communication or any attachment to it may be a violation of federal and state privacy laws. If you have received this email in error, please notify the sender immediately by return email and delete this message. Please note that Florida has a broad public records law, and that all correspondence to me via email may be subject to disclosure. Under Florida law email addresses are public records.

CDBG-CV/RIF SCHEDULED TO BE AWARDED- FRIDAY APRIL 8, 2022

Grant Type	Applicant	County	Project Title	Project Description	Amount Awarded	Possible Event Location
CDBG	Town Century	Escambia		The Town of Century proposes to use CDBG-CV funding to renovate the Carver Community Center for use as a testing and immunization center and the Town of Century Community Center for childcare and senior services.	\$ 3,255,000.00	NOTE: Part of Round 2 ready to announce
RIF	City of Port St. Joe	Gulf	Waterline Improvement Project	Downtown Revitalization project to install new waterline in downtown commercial district, including final engineering design, site plans approval, permitting, bidding, contractor selection and construction.	\$ 675,426.00	
RIF	City of Bonifay	Holmes	South Bonifay Stormwater Study	Conduct a detailed study and preliminary design plan to address the drainage infrastructure along SR 79 and St. Johns Road in Bonifay. The study will identify options to mitigate flooding on the south side of the city. The project includes conducting site investigations, create preliminary drainage maps, surveys, survey drawing, complete geotechnical reports, preliminary hydraulic modeling analysis, design plans, opinion of probable cost and preliminary engineering report.	\$ 245,075.00	
CDBG	Holmes County	Holmes		The County will use CDBG-CV funding to renovate and expand the existing county-owned senior center located in Bonifay, Florida.	\$ 954,000.00	BOCC - 107 E Virginia Ave, Bonifay, FL 32425
RIF	Holmes County	Holmes	North SR79 Commercial Corridor Drainage Study	Conduct a drainage study of the commercial corridor along SR79 north of Bonifay, including identification of the drainage basin, analysis of existing drainage conveyance capacity and development of drainage improvement strategies. The study will also include recommended drainage improvements, preliminary plans, permitting requirements, costs estimates and identification potential funding sources.	\$ 154,000.00	
RIF	Town of Ponce de Leon	Holmes	Ponce de Leon Wastewater Services Extension Study	Conduct a study for the Ponce de Leon Wastewater Services Extension, including a preliminary engineering study and report to support the development and funding of construction projects to extend and expand wastewater infrastructure and services along Highway 81 in and around the town of Ponce de Leon and a connector North of Interstate 10.	\$ 196,500.00	
CDBG	Town of Ponce De Leon	Holmes		CDBG-CV funds will be used to renovate and expand the Multipurpose Recreation Center (MRC) building.	\$ 950,000.00	NOTE: Part of Round 2 ready to announce
CDBG	City of Cottondale	Jackson		The City of Cottondale will rehabilitate the City's Community Center for use as a local COVID-19 testing and vaccination site.	\$ 1,426,659.00	City Hall - 2659 Front St, Cottondale, FL 32431
RIF	City of Cottondale	Jackson	Commercial Area Revitalization Project	Improvements to the downtown commercial area in the City of Cottondale, including new public parking, improve two sanitary manholes, improve traffic management and pedestrian access projects to assist with capture of pass by traffic, streetscape improvements to US 90 and US 231, a comprehensive infrastructure improvement plan.	\$ 1,000,000.00	
RIF	City of Jacob	Jackson	Jacob City Broadband Infrastructure Planning Project	Conduct a feasibility study to identify and address broadband internet availability, accessibility, affordability and transmission speeds.	\$ 144,500.00	
RIF	City of Marianna	Jackson	Mashburn Road and Utility Improvements	Completion of the construction for Mashburn Road leading to the Endeavor Industrial Site for project Blue Sky, in the City of Marianna, including finalization of approximately 2,500 LF of roadway improvements, stormwater, water extensions, wastewater extensions, and natural gas extensions and improvements. Including engineering/CEI services. The increase cost of material and shipping to complete RIF agreement #D0131 (\$1,550,500).	\$ 992,000.00	
CDBG	Jackson County	Jackson		The Jackson Hospital Air Purification Improvement Project will undertake the renovation of the Hospital's 3rd Floor Progressive Care Unit HVAC system to provide each patient room with individualized, fixed negative/positive air pressure capabilities.	\$ 2,879,000.00	BOCC - 2864 Madison St, Marianna, FL 32448
RIF	Jackson County	Jackson	Blue Springs Campground	Design and development of a complete set of plans and specifications including surveys and permits to engineer a Campground/RV park to be tentatively located on the eastern section of Blue Springs Recreational Area Park. The Design services will include analysis of the existing site, coordinate concept plans, illustrate designs, design review, cover sheet, construction estimates and a permitting package.	\$ 106,500.00	

RIF	Jackson County	Jackson	SR71 Commercial Park Phase 1- Project GLAD	Phase 1 of Project GLAD, to design, permit, inspect and construct public roadways and utilities from 2099 FL State Road 71, into the Commercial Park, located in Marianna, south of the Interstate 10 exchange in Jackson County. Phase 1 includes, construction of main access roadway, secondary roadway, road improvements to SR71, storm water infrastructure and the extension of water and sewer utilities.	\$ 994,712.10	
RIF	Town of Campbellton	Jackson	Campbellton Wastewater and Natural Gas Extension	Conduct a Wastewater and Natural Gas Extension Study for the Town of Campbellton to define the utility routes, supporting infrastructure, internal town service lines, preliminary engineering and plans to support permitting.	\$ 281,500.00	
CDBG	Town of Alford	Jackson		The Town will use funding to implement improvements to the Alford Community Center to assist in preparing for and responding to the Coronavirus and other potential pandemics.	\$ 250,262.00	NOTE: Part of Round 2 ready to announce
CDBG	City of Marianna	Jackson		The City will use the CDBG-CV award to construct critically needed heating, ventilation, and air conditioning improvements to include a fixed air purification system and a facility expansion for construction of a Bio-Hazard Isolation Room for containment of materials and waste in a long-term health and rehabilitation center.	\$ 3,996,209.00	NOTE: Part of Round 2 ready to announce
CDBG	City of Fort Walton Beach	Okaloosa		The City will partner will two (2) local entities (Bridgeway Health Clinic & Bridgeway Center) to provide medical testing,lab work,or prescription medication.	\$ 58,703.00	City Hall - 107 Miracle Strip Pkwy SW, Fort Walton Beach, FL 32548
RIF	Town of Jay	Santa Rosa	Town of Jay Bray Hendricks Sports Complex Renovation	Partial funding of a \$3.3 million project for construction services for the renovation of Bray-Hendricks Sports Complex, including installation of one competition softball field, four baseball fields, two tee-ball fields, batting cages, four tennis courts, two basketball courts, soccer fields, a football field, amphitheater, concession buildings with meeting rooms, and ADA compliant bathrooms.	\$ 300,000.00	
CDBG	Town of Jay	Santa Rosa		The Town of Jay proposes to use the CDBG-CV funding to renovate the Jay Community Center in order to better accommodate Covid immunization services at the site and to ensure the health and safety of the residents who use the facilities.	\$ 1,072,500.00	NOTE: Part of Round 2 ready to announce
RIF	Wakulla County	Wakulla	Wakulla Project Gamestop Extension of Natural Gas	Extension of natural gas service to Opportunity Park, for service to income participating party.	\$ 220,044.00	
CDBG	City of Paxton	Walton		The City of Paxton will use the CDBG-CV funding to construct a new Senior Center of approximately 3,000 sq. ft. on City-owned property in Paxton.	\$ 1,129,640.00	City Hall - 21872 U.S. Hwy 331 N Laurel Hill, FL 32567
					\$ 21,282,230.10	

AVAILABLE TO ANNOUNCE

Grant Type	Applicant	County	Project Title	Project Description	Amount Awarded	Possible Event Location
RIF	Hardee County Industrial Development Authority	Hardee	Hardee County Industrial Development Authority Design and Engineering Project	Design and engineering of a building in the Hardee County Commerce Park for incoming job creator, Hardee Nutritional, LLC. Project will match current investments to fund civil engineering and architectural design services and permitting.	\$ 34,434.65	
CDBG	Lake County	Lake		A Mobile Food Pantry will provide a source of emergency food for those in rural areas that cannot access centrally located food pantries.	\$ 653,511.00	BOCC - 315 W Main St #3813, Tavares, FL 32778
CDBG	City of Fort Meade	Polk		The City of Fort Meade will install city-wide broadband Internet service for the residents of Fort Meade and provide the LMI residents that reside there with six (6) months of service at no cost.	\$ 5,000,000.00	City Hall - 8 W Broadway St, Fort Meade, FL 33841
CDBG	City of Lake Wales	Polk		The City of Lake Wales will utilize CDBG-CV funds to construct sidewalk improvements to promote social distancing.	\$ 1,193,660.00	City Hall - 201 W. Central Ave Lake Wales, Florida 33880
CDBG	City of St. Augustine	St. Johns		The City of St. Augustine will use the CDBG-CV funds for St. Francis House Crisis Shelter to complete the renovation of the existing building at 64 Washington St. in St. Augustine, Florida.	\$ 1,251,229.00	City Hall - 75 King Street, St. Augustine, FL 32085
CDBG	St. Johns County	St. Johns		This project will construct an annex building to the County Emergency Operations Center, which will allow the County to train inoculation administration, train COVID-19 test administration, to distribute PPE, and for response and recovery resource storage, such as PPE and hand washing stations.	\$ 406,633.00	BOCC - 500 San Sebastian View, St. Augustine, FL 32084
RIF	City of Gretna	Gadsden	City of Gretna Highway 12/ Brinson Road & Utilities Improvements	To support construction of a waterline and forcemain from Highway 12 down Brinson Road to the conclusion of the improvements and the edge of the site for Insurance Auto Auctions, Inc. in the City of Gretna.	\$ 504,100.00	
CDBG	City of Chattahoochee	Gadsden		The City of Chattahoochee will use the CDBG-CV award to rehabilitate and improve a donated vacant old public school building for use as a senior center.	\$ 3,789,000.00	City Hall 22 Jefferson Street Chattahoochee, Florida 32324
CDBG	City of Gretna	Gadsden		The City will use the CDBG-CV award to construct improvements to its community center that will allow it to provide services.	\$ 2,253,500.00	NOTE: Part of Round 3 ready to announce
					\$ 15,086,067.65	

AWARDED

Grant Type	Applicant	County	Project Title	Project Description	Amount Awarded	Possible Event Location
CDBG	City of Pompano Beach	Broward		Provide relief of rental payments for up to six (6) months to alleviate the housing burden for low income households (at or below 80% AMI) that have lost or had their incomes reduced as a result of COVID-19. The primary goal of this program is to provide greater economic security to renters as well as the owners of the rental property. All payments made on behalf of the applicant will be paid directly to the vendor. Project service area will be city-wide and the program will be carried out by City Staff.	\$ 518,651.00	City Hall - 100 W Atlantic Blvd, Pompano Beach, FL 33060
CDBG	City of Sunrise	Broward		This installation will address Internet accessibility needs to the City's LMI residents at City properties, specifically, Roarke Hall, City Park, and Village Beach Club. Access to Wi-Fi will address the remote employment, education, and consultation needs of the City's LMI residents, while maintaining ongoing social distancing.	\$ 268,332.93	City Hall - 10770 W Oakland Park Blvd, Sunrise, FL 33351
RIF	City of Moore Haven	Glades	City of Moore Haven Construction to Downtown Revitalization Stormwater and Roadway Infrastructure Improvement	Construction of downtown revitalization improvements of the roadway and stormwater drainage infrastructure as designed in the downtown area, including connecting pathways along the Riverfront and connecting Marina.	\$ 898,975.00	
RIF	City of Moore Haven	Glades	City of Moore Haven Downtown Revitalization Stormwater and Roadway Improvement	Downtown Revitalization stormwater and roadway improvements project includes engineering design for roadway and stormwater drainage infrastructure improvements.	\$ 185,127.00	
RIF	City of Fellsmere	Indian River County	Headwaters Commerce Park Sewer Extension	Construction of sewer extension to the Headwaters Commerce Park to increase wastewater discharge capacity, allowing expansion of current businesses and attracting new and diverse businesses to the park.	\$ 750,000.00	
RIF	Town of Greenville	Madison	Town of Greenville Utility Expansion Feasibility Study and Pre-Design Services	Preparation of a feasibility study and preliminary engineering services to extend centralized water and sewer services to the route along the Honey Lake health facility Clinic and the Town limits.	\$ 300,000.00	
CDBG	Monroe County	Monroe		Monroe County will use the CDBG-CV award to construct some improvements to the facilities located at Rowell's Waterfront Park. https://www.monroecounty-fl.gov/1127/Rowells-Waterfront-Park	\$ 2,956,534.00	Monroe County BOCC - 500 Whitehead St, Key West, FL 33040
CDBG	City of Palatka	Putnam		The City will use CDBG-CV to widen sidewalks and paths in the residential neighborhoods leading into the downtown commercial area.	\$ 5,000,000.00	City Hall - 201 N 2nd St, Palatka, FL 32177
RIF	City of Palatka	Putnam	City of Palatka Business Park Sanitary Sewer Infrastructure Project, Phase 1	Expansion of lift station located at St. John's Avenue and Zeagler Drive in the City of Palatka, which is Phase 1 of the Sanitary Sewer Infrastructure Project extending services to the business park.	\$ 340,195.12	
CDBG	Suwannee County	Suwannee		Construction of a facility on County-owned property to provide temporary shelter to COVID-19 infected residents from the Suwannee County and first responders who cannot otherwise provide their own means of quarantine and separation from uninfected people when necessary.	\$ 5,000,000.00	BOCC - 13150 Voyles St, Live Oak, FL 32060
					\$ 16,217,815.05	

From: /O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=E1B65E53BD4B4E65B15DBF19FA0CDD50-KELLY, ALEX

Sent: Tuesday, April 5, 2022 10:47 AM

To: Denis St. Louis [stls_d@yahoo.com]; Sean Stone [scstone52@gmail.com]

CC: Adler, Marc [Madler@enterprise-florida.com]; Eagle, Dane [Dane.Eagle@deo.myflorida.com]; Redshaw, Caroline [Caroline.Redshaw@eog.myflorida.com]

Subject: Follow-up: Denis St. Louis' Zoom Meeting

Denis and Sean, great speaking with you earlier.

I'm adding Secretary of Commerce Marc Adler and Secretary of the Department of Economic Opportunity Dane Eagle to the conversation here.

I think one or both of them would be appropriate for a follow-up conversation to learn more about both your film/entertainment industry pursuits and also the electric vehicle interests of your affiliated partners.

Caroline, who is copied here, will help set up a follow-up Zoom or Teams conversation.

In the meantime, below my signature are a variety of economic development programs and tools that I think might be applicable to one or both of the topic areas we discussed. I'm sure there's more though that I'm missing, and this is not inclusive of opportunities that local communities might have as well.

Looking forward to any follow-up materials you can send our way, so we can have some pre-reading in advance of a follow-up conversation.

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(850) 443-8626
alex.kelly@eog.myflorida.com

Strategic Business Development

Grant Programs:

- **High Impact Performance Incentive** – grants to spur capital investment and job creation, reserved for major facilities operating in designated portions of high-impact sectors.

Tax Credits:

- **Capital Investment Tax Credit** - used to attract and grow capital-intensive industries operating in a designated high-impact portion of the following sectors in Florida: clean energy, biomedical technology, financial services, information technology, silicon technology, advanced manufacturing, or a corporate headquarters facility. Annual credit, provided for up to 20 years, against the corporate income tax. Businesses must

make a cumulative investment of at least \$25 million and create a minimum of 100 new full-time jobs.

- **Renewable Energy Technologies Investment Tax Credit** - credit against the corporate income tax for 75 percent of all capital costs, operation and maintenance costs, and research and development costs in connection with an investment in the production, storage, and distribution of biodiesel, ethanol, and other renewable fuel in the state, including the costs of constructing, installing, and equipping such technologies in the state.

Tax Exemptions:

- **Research & Development Machinery and Equipment Sales Tax Exemption** - available for purchases or lease of machinery and equipment used predominantly for research and development purposes.
- **Electricity & Steam Sales Tax Exemption** – for electricity used directly and exclusively at a fixed location to operate machinery and equipment that is used to manufacture, process, compound, or produce items of tangible personal property for sale, or to operate pollution control equipment, recycling equipment, maintenance equipment, or monitoring or control equipment used in such operations.
- **Florida Entertainment Industry Sales Tax Exemption** - qualified purchases made by production companies for motion pictures, made-for-television motion pictures, television series, commercials, music videos or sound recordings are eligible.

Miscellaneous Incentives:

- **Expedited Permitting Review Process** – qualifying businesses can apply to be certified for an expedited review process for permitting and amendments to comprehensive plans. The process is to facilitate the location and expansion of economic development projects that offer job creation and high wages, strengthen and diversify the state's economy, and have been thoughtfully planned to take into consideration the protection of the environment.

Workforce Development

- **Quick Response Training** - state-funded grant program that provides funding for customized training to new or expanding businesses in Florida's targeted industries.
- **Veterans Florida** - helps military veterans transition to civilian life and to promote Florida's status as the nation's most veteran-friendly state. Includes a Florida Workforce Grant Program that reimburses qualified employers 50% of industry skills-based training costs for new or current veteran employees, a Career Services Program that connects veterans with employers who are eager to hire veterans for jobs, and a Florida Entrepreneurship Program that provides all the knowledge needed to successfully launch and operate a business.

Community Development

- **Rural Job Tax Credit Program** - tax credit for eligible businesses located within one of 36 designated Qualified Rural Areas to create new jobs.
- **Urban Job Tax Credit Program** - offers a tax credit for eligible businesses located within one of 13 designated urban areas to create new jobs.

- **Opportunity Zone Program** - fosters economic development and job creation in economically distressed communities by providing capital gains tax deferral or reduction for investments made in opportunity zone areas.

Florida Organizations Related to Economic Development

- **Department of Economic Opportunity (DEO)** – lead state agency for advancing economic development and growth throughout Florida, by promoting the state’s economic development vision and by administering state and federal programs and initiatives to help visitors, citizens, businesses, and communities. DEO’s Division of Strategic Business Development (includes the Office of Film and Entertainment) provides support for attracting out-of-state businesses to Florida, promoting the creation and expansion of Florida businesses and facilitating Florida's economic development partnerships. The division's duties include project development facilitation and support, as well as incentive and grant performance measurement. The Division of Workforce Services helps strengthen Florida's business climate by supporting employers and helping Floridians gain employment, remain employed, and advance their careers. The division’s duties include providing support functions for the state’s workforce development system, implementing the state's reemployment assistance program, and providing labor market information. The Division of Community Development (includes the Office of Broadband) manages the state's programs related to community economic growth, with an emphasis on underserved communities and areas, also administers economic relief programs related to disasters.
- **Enterprise Florida, Inc. (EFI)** – Florida’s principal state-level economic development organization, through outreach, promotion, and making available various incentives, EFI works to attract and expand business in Florida, with a focus on designated high growth/high wage targeted industries. Also conducts economic research and marketing and provides export assistance services to businesses.
- **CareerSource Florida, Inc.** - statewide workforce policy and investment board for the 24 local workforce development boards and 100 career centers throughout Florida. The CareerSource Florida network helps connect businesses with the talented workforce and training needed to succeed and grow. Administers the Quick Response Training (QRT) and Incumbent Worker Training (IWT) programs.
- **Space Florida** – promotes aerospace commercial development by supporting project financing, spaceport facilities and operations, research and development, workforce development, and education programs. Makes available financing tools that can lower a company’s overhead and operating costs, finances facilities and machinery and equipment of new or expanding aerospace companies, and works in conjunction with The Florida Department of Transportation to develop needed space infrastructure.
- **Florida Development Finance Corporation** - statewide, special development financing authority for economic development purposes. State authorized issuer of industrial revenue bonds in counties throughout Florida through interlocal agreements. Supports economic development by assisting for-profit and not-for-profit businesses with access to capital for project financing.
- **Florida Opportunity Fund** – identifies and invests in a diversified, high-quality portfolio of seed and early stage venture capital funds that target (in whole or in part) investment opportunities within Florida. Includes the Florida Venture Capital Program which provides funding to emerging or early growth stage companies with long-term growth potential in select target industries, the Fund of Funds Program which invests in seed or early-stage

venture capital fund portfolios and/or companies in order to realize significant, long-term capital appreciation, and the Clean Energy Investment Program which provides venture capital funding for businesses to increase the use of energy-efficient and/or renewable energy technologies, equipment and materials.

- **Florida Chamber of Commerce** - statewide business advocacy and research organization focused on encouraging a business friendly climate that allows private-sector jobs to contribute to Florida's economy.
- **Florida Economic Development Council** – statewide umbrella organization for local economic development councils consisting of economic, workforce and community developers. These professionals work in Florida's 67 counties, 400+ cities, 24 workforce regions, 28 colleges, 12 universities, as well as utilities, ports, airports and industrial authorities.

From: Kelly, Alex [Alex.Kelly@eog.myflorida.com]
Sent: Tuesday, April 5, 2022 12:57 PM
To: 'Denis St. Louis' [stls_d@yahoo.com]; Sean Stone [scstone52@gmail.com]
CC: Adler, Marc [Madler@enterprise-florida.com]; Eagle, Dane [Dane.Eagle@deo.myflorida.com]; Redshaw, Caroline [Caroline.Redshaw@eog.myflorida.com]
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- **Renewable Energy Technologies Investment Tax Credit** - credit against the corporate income tax for 75 percent of all capital costs, operation and maintenance costs, and research and development costs in connection with an investment in the production, storage, and distribution of biodiesel, ethanol, and other renewable fuel in the state, including the costs of constructing, installing, and equipping such technologies in the state.

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- **Space Florida** – promotes aerospace commercial development by supporting project financing, spaceport facilities and operations, research and development, workforce development, and education programs. Makes available financing tools that can lower a company’s overhead and operating costs, finances facilities and machinery and equipment of new or expanding aerospace companies, and works in conjunction with The Florida Department of Transportation to develop needed space infrastructure.
- **Florida Development Finance Corporation** - statewide, special development financing authority for economic development purposes. State authorized issuer of industrial revenue bonds in counties throughout Florida through interlocal agreements. Supports economic development by assisting for-profit and not-for-profit businesses with access to capital for project financing.
- **Florida Opportunity Fund** – identifies and invests in a diversified, high-quality portfolio of seed and early stage venture capital funds that target (in whole or in part) investment opportunities within Florida. Includes the Florida Venture Capital Program which provides funding to emerging or early growth stage companies with long-term growth potential in select target industries, the Fund of Funds Program which invests in seed or early-stage venture capital fund portfolios and/or companies in order to realize significant, long-term capital appreciation, and the Clean Energy Investment Program which provides venture

capital funding for businesses to increase the use of energy-efficient and/or renewable energy technologies, equipment and materials.

- **Florida Chamber of Commerce** - statewide business advocacy and research organization focused on encouraging a business friendly climate that allows private-sector jobs to contribute to Florida's economy.
- **Florida Economic Development Council** – statewide umbrella organization for local economic development councils consisting of economic, workforce and community developers. These professionals work in Florida's 67 counties, 400+ cities, 24 workforce regions, 28 colleges, 12 universities, as well as utilities, ports, airports and industrial authorities.

From: Kelly, Alex [Alex.Kelly@eog.myflorida.com]
Sent: Thursday, April 7, 2022 12:15 PM
To: Ivey, Meredith [Meredith.Ivey@deo.myflorida.com]; Oglesby, Emilie [Emilie.Oglesby@deo.myflorida.com]
CC: Eagle, Dane [Dane.Eagle@deo.myflorida.com]; Melnick, Benjamin [Benjamin.Melnick@deo.myflorida.com]; Hopkins, Allison [Allison.Hopkins@deo.myflorida.com]; Kelly Jefferson, Savannah [Savannah.KellyJefferson@eog.myflorida.com]; Butler, Ryan P [Ryan.Butler@deo.myflorida.com]
Subject: RE: [EXTERNAL] - RE: Franklin/Gulf Contacts
Attachments: Upcoming DEO Grant Events 4.6.22.xlsx

Can you clarify the name of that project? I don't see a project named "Bay County Public Works" in the attached.

J. Alex Kelly
Deputy Chief of Staff
Executive Office of the Governor
(850) 443-8626
alex.kelly@eog.myflorida.com

From: Ivey, Meredith <Meredith.Ivey@deo.myflorida.com>
Sent: Thursday, April 7, 2022 11:03 AM
To: Kelly, Alex <Alex.Kelly@eog.myflorida.com>; Oglesby, Emilie <Emilie.Oglesby@deo.myflorida.com>
Cc: Eagle, Dane <Dane.Eagle@deo.myflorida.com>; Melnick, Benjamin <Benjamin.Melnick@deo.myflorida.com>; Hopkins, Allison <Allison.Hopkins@deo.myflorida.com>; Kelly Jefferson, Savannah <Savannah.KellyJefferson@eog.myflorida.com>; Butler, Ryan P <Ryan.Butler@deo.myflorida.com>
Subject: RE: [EXTERNAL] - RE: Franklin/Gulf Contacts

Alex,

I have confirmed with both Ben and Ryan that Bay County Public Works is not an award for tomorrow. There are eligibility issues that we can walk you through in greater detail that will not be resolved by tomorrow.

Thank you,
Meredith Ivey
Chief of Staff

Florida Department of Economic Opportunity
Office: 850-245-7153
Email: Meredith.Ivey@deo.myflorida.com
www.FloridaJobs.org



From: Kelly, Alex <Alex.Kelly@eog.myflorida.com>
Sent: Wednesday, April 6, 2022 2:22 PM
To: Oglesby, Emilie <Emilie.Oglesby@deo.myflorida.com>; Ivey, Meredith <Meredith.Ivey@deo.myflorida.com>
Subject: RE: [EXTERNAL] - RE: Franklin/Gulf Contacts

Okay.

Can it be ready to award for this Friday?

J. Alex Kelly
Deputy Chief of Staff
Executive Office of the Governor
(850) 443-8626
alex.kelly@eog.myflorida.com

From: Oglesby, Emilie <Emilie.Oglesby@deo.myflorida.com>
Sent: Wednesday, April 6, 2022 2:19 PM
To: Kelly, Alex <Alex.Kelly@eog.myflorida.com>; Ivey, Meredith <Meredith.Ivey@deo.myflorida.com>
Subject: RE: [EXTERNAL] - RE: Franklin/Gulf Contacts

Hey Alex,

Here's what we are tracking. Neither are PCB. Additionally, the public works safe room (\$458,072.25) is not ready for award. I've attached the HMGP list. It was a "potential to be awarded," and I think accidentally pulled up into ready to award. Excuse my formatting below, but these are the awards we have ready to go for Bay county.

CDBG-DR	City of Panama City	Bay		Fire Stations 3 and 4 Wind Retrofit
CDBG-DR	Bay County	Bay		Wastewater Distribution Mitigation (Phase I)
CDBG-DR	City of Panama City	Bay		Robinson Bayou Drainage (Phase I)

Emilie Oglesby
Director of Communications and External Affairs

Florida Department of Economic Opportunity
www.FloridaJobs.org



From: Kelly, Alex <Alex.Kelly@eog.myflorida.com>
Sent: Wednesday, April 6, 2022 1:59 PM
To: Ivey, Meredith <Meredith.Ivey@deo.myflorida.com>; Oglesby, Emilie <Emilie.Oglesby@deo.myflorida.com>
Subject: [EXTERNAL] - RE: Franklin/Gulf Contacts

These are both Panama City, right?

Or is one Panama City Beach?

CDBG-DR	City of Panama City	Bay		Fire Stations 3 and 4 Wind Retrofit
CDBG-DR	Panama City	Bay		Public Works safe room

J. Alex Kelly
 Deputy Chief of Staff
 Executive Office of the Governor
 (850) 443-8626
alex.kelly@eog.myflorida.com

From: Kelly Jefferson, Savannah <Savannah.KellyJefferson@eog.myflorida.com>
Sent: Wednesday, April 6, 2022 12:47 PM
To: Kelly, Alex <Alex.Kelly@eog.myflorida.com>
Subject: FW: Franklin/Gulf Contacts

These are the counties/cities we're tracking for the Gulf event. Is the second one the City of Panama City?

Savannah Kelly Jefferson
 Director of External Affairs
 Governor Ron DeSantis
 850-508-1021

From: Kelly Jefferson, Savannah
Sent: Wednesday, April 6, 2022 9:00 AM
To: Cronin, Alex <Alex.Cronin@eog.myflorida.com>
Cc: Smith, Casey <Casey.Smith@eog.myflorida.com>
Subject: RE: Franklin/Gulf Contacts

Looping in Casey too.

When we go to Gulf, we're going to be announcing grants for all these entities. Can you two work to get POCs for each county so it's a quick call to invite when we're ready to go?

City of Panama City
Panama City
Town Century
City of Port St. Joe
Holmes County
Town of Ponce De Leon
City of Bonifay
Holmes County
Town of Ponce de Leon
City of Cottondale
Jackson County
Town of Alford

City of Marianna
City of Cottondale
City of Marianna
Jackson County
City of Cottondale
City of Jacob
City of Marianna
Jackson County
Jackson County
Town of Campbellton
City of Fort Walton Beach

Town of Jay
Town of Jay
Wakulla County
City of Paxton
City of Chipley

Savannah Kelly Jefferson
Director of External Affairs
Governor Ron DeSantis
850-508-1021

From: Kelly Jefferson, Savannah
Sent: Wednesday, April 6, 2022 7:59 AM
To: Cronin, Alex <Alex.Cronin@eog.myflorida.com>
Subject: Franklin/Gulf Contacts

This morning, can you call the Franklin Sheriff and Gulf Sheriff about Friday's events?

I want to get their opinion (and the contact information) for venues. For Gulf, I would like to do Indian Pass Raw Bar and for Franklin, I like the idea of the Gibson Inn.

Let me know what they say and once you can get cells for POCs. Thanks!

Savannah Kelly Jefferson
Director of External Affairs
Governor Ron DeSantis
850-508-1021

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READY TO BE AWARDED

Grant Type	Applicant	County	Project Title	Amount Awarded
CDBG-DR	City of Apalachicola	Franklin	Market Street Vacuum Station	\$652,000.00
CDBG-DR	Franklin County	Franklin	Generators for Critical Facilities	\$158,128.00
WIOA	City of Apalachicola	Franklin	CareerSource Gulf Coast – WIOA grants are awarded to workforce development boards throughout the state to provide support for the immediate needs of various industries that include On-the-Job Training (OJT) opportunities. Training opportunities will be available for carpentry, electrical work, professional painting, plumbing, HVAC, and roofing. Additionally, funds can be used to assist students with earning various credentials and certifications to improve their employability. Funding can be earmarked for City of Apalachicola.	\$500,000.00

\$1,310,128.00

SCHEDULED TO BE AWARDED

Grant Type	Applicant	County	Project Title	Project Description	Amount Awarded	Possible Event Location
CDBG-DR	City of Panama City	Bay		Fire Stations 3 and 4 Wind Retrofit	\$ 91,031.00	
CDBG-DR	Panama City	Bay		Public Works safe room	\$ 458,072.25	
CDBG-CV	Town Century	Escambia		The Town of Century proposes to use CDBG-CV funding to renovate the Carver Community Center for use as a testing and immunization center and the Town of Century Community Center for childcare and senior services.	\$ 3,255,000.00	
RIF	City of Port St. Joe	Gulf	Waterline Improvement Project	Downtown Revitalization project to install new waterline in downtown commercial district, including final engineering design, site plans approval, permitting, bidding, contractor selection and construction.	\$ 675,426.00	
CDBG-CV	Holmes County	Holmes		The County will use CDBG-CV funding to renovate and expand the existing county-owned senior center located in Bonifay, Florida.	\$ 954,000.00	BOCC - 107 E Virginia Ave, Bonifay, FL 32425
CDBG-CV	Town of Ponce De Leon	Holmes		CDBG-CV funds will be used to renovate and expand the Multipurpose Recreation Center (MRC) building.	\$ 950,000.00	
RIF	City of Bonifay	Holmes	South Bonifay Stormwater Study	Conduct a detailed study and preliminary design plan to address the drainage infrastructure along SR 79 and St. Johns Road in Bonifay. The study will identify options to mitigate flooding on the south side of the city. The project includes conducting site investigations, create preliminary drainage maps, surveys, survey drawing, complete geotechnical reports, preliminary hydraulic modeling analysis, design plans, opinion of probable cost and preliminary engineering report.	\$ 245,075.00	
RIF	Holmes County	Holmes	North SR79 Commercial Corridor Drainage Study	Conduct a drainage study of the commercial corridor along SR79 north of Bonifay, including identification of the drainage basin, analysis of existing drainage conveyance capacity and development of drainage improvement strategies. The study will also include recommended drainage improvements, preliminary plans, permitting requirements, costs estimates and identification potential funding sources.	\$ 154,000.00	
RIF	Town of Ponce de Leon	Holmes	Ponce de Leon Wastewater Services Extension Study	Conduct a study for the Ponce de Leon Wastewater Services Extension, including a preliminary engineering study and report to support the development and funding of construction projects to extend and expand wastewater infrastructure and services along Highway 81 in and around the town of Ponce de Leon and a connector North of Interstate 10.	\$ 196,500.00	
CDBG-CV	City of Cottondale	Jackson		The City of Cottondale will rehabilitate the City's Community Center for use as a local COVID-19 testing and vaccination site.	\$ 1,426,659.00	City Hall - 2659 Front St, Cottondale, FL 32431
CDBG-CV	Jackson County	Jackson		The Jackson Hospital Air Purification Improvement Project will undertake the renovation of the Hospital's 3rd Floor Progressive Care Unit HVAC system to provide each patient room with individualized, fixed negative/positive air pressure capabilities.	\$ 2,879,000.00	BOCC - 2864 Madison St, Marianna, FL 32448
CDBG-CV	Town of Alford	Jackson		The Town will use funding to implement improvements to the Alford Community Center to assist in preparing for and responding to the Coronavirus and other potential pandemics.	\$ 250,262.00	
CDBG-CV	City of Marianna	Jackson		The City will use the CDBG-CV award to construct critically needed heating, ventilation, and air conditioning improvements to include a fixed air purification system and a facility expansion for construction of a Bio-Hazard Isolation Room for containment of materials and waste in a long-term health and rehabilitation center.	\$ 3,996,209.00	
CDBG-DR	City of Cottondale	Jackson		Five Lift Station Generators	\$ 93,897.00	
CDBG-DR	City of Marianna	Jackson		Public Safety Building Code Plus	\$ 568,126.00	
CDBG-DR	Jackson County	Jackson		7 Lift Station Generators	\$ 68,332.50	
RIF	City of Cottondale	Jackson	Commercial Area Revitalization Project	Improvements to the downtown commercial area in the City of Cottondale, including new public parking, improve two sanitary manholes, improve traffic management and pedestrian access projects to assist with capture of pass by traffic, streetscape improvements to US 90 and US 231, a comprehensive infrastructure improvement plan.	\$ 1,000,000.00	
RIF	City of Jacob	Jackson	Jacob City Broadband Infrastructure Planning Project	Conduct a feasibility study to identify and address broadband internet availability, accessibility, affordability and transmission speeds.	\$ 144,500.00	

RIF	City of Marianna	Jackson	Mashburn Road and Utility Improvements	Completion of the construction for Mashburn Road leading to the Endeavor Industrial Site for project Blue Sky, in the City of Marianna, including finalization of approximately 2,500 LF of roadway improvements, stormwater, water extensions, wastewater extensions, and natural gas extensions and improvements. Including engineering/CEI services. The increase cost of material and shipping to complete RIF agreement #D0131 (\$1,550,500).	\$ 992,000.00	
RIF	Jackson County	Jackson	Blue Springs Campground	Design and development of a complete set of plans and specifications including surveys and permits to engineer a Campground/RV park to be tentatively located on the eastern section of Blue Springs Recreational Area Park. The Design services will include analysis of the existing site, coordinate concept plans, illustrate designs, design review, cover sheet, construction estimates and a permitting package.	\$ 106,500.00	
RIF	Jackson County	Jackson	SR71 Commercial Park Phase 1- Project GLAD	Phase 1 of Project GLAD, to design, permit, inspect and construct public roadways and utilities from 2099 FL State Road 71, into the Commercial Park, located in Marianna, south of the Interstate 10 exchange in Jackson County. Phase 1 includes, construction of main access roadway, secondary roadway, road improvements to SR71, storm water infrastructure and the extension of water and sewer utilities.	\$ 994,712.10	
RIF	Town of Campbellton	Jackson	Campbellton Wastewater and Natural Gas Extension	Conduct a Wastewater and Natural Gas Extension Study for the Town of Campbellton to define the utility routes, supporting infrastructure, internal town service lines, preliminary engineering and plans to support permitting.	\$ 281,500.00	
CDBG-CV	City of Fort Walton Beach	Okaloosa		The City will partner will two (2) local entities (Bridgeway Health Clinic & Bridgeway Center) to provide medical testing,lab work,or prescription medication.	\$ 58,703.00	City Hall - 107 Miracle Strip Pkwy SW, Fort Walton Beach, FL 32548
RIF	Town of Jay	Santa Rosa	Town of Jay Bray Hendricks Sports Complex Renovation	Partial funding of a \$3.3 million project for construction services for the renovation of Bray-Hendricks Sports Complex, including installation of one competition softball field, four baseball fields, two tee-ball fields, batting cages, four tennis courts, two basketball courts, soccer fields, a football field, amphitheater, concession buildings with meeting rooms, and ADA compliant bathrooms.	\$ 300,000.00	
CDBG-CV	Town of Jay	Santa Rosa		The Town of Jay proposes to use the CDBG-CV funding to renovate the Jay Community Center in order to better accommodate Covid immunization services at the site and to ensure the health and safety of the residents who use the facilities.	\$ 1,072,500.00	
RIF	Wakulla County	Wakulla	Wakulla Project Gamestop Extension of Natural Gas	Extension of natural gas service to Opportunity Park, for service to income participating party.	\$ 220,044.00	
CDBG-CV	City of Paxton	Walton		The City of Paxton will use the CDBG-CV funding to construct a new Senior Center of approximately 3,000 sq. ft. on City-owned property in Paxton.	\$ 1,129,640.00	City Hall - 21872 U.S. Hwy 331 N Laurel Hill, FL 32567
CDBG-DR	City of Chipley	Washington		Two Lift Station Generators	\$ 44,070.00	
					\$ 22,605,758.85	

SCHEDULED TO BE AWARDED

Grant Type	Applicant	County	Project Title	Project Description	Amount Awarded	Possible Event Location
CDBG-CV	City of Chattahoochee	Gadsden		The City of Chattahoochee will use the CDBG-CV award to rehabilitate and improve a donated vacant old public school building for use as a senior center.	\$ 3,789,000.00	City Hall 22 Jefferson Street Chattahoochee, Florida 32324
CDBG-CV	City of Gretna	Gadsden		The City will use the CDBG-CV award to construct improvements to its community center that will allow it to provide services.	\$ 2,253,500.00	
RIF	City of Gretna	Gadsden	City of Gretna Highway 12/ Brinson Road & Utilities Improvements	To support construction of a waterline and forcemain from Highway 12 down Brinson Road to the conclusion of the improvements and the edge of the site for Insurance Auto Auctions, Inc. in the City of Gretna.	\$ 504,100.00	
					\$ 6,546,600.00	

AVAILABLE TO ANNOUNCE

Grant Type	Applicant	County	Project Title	Project Description	Amount Awarded	Possible Event Location
RIF	Hardee County Industrial Development Authority	Hardee	Hardee County Industrial Development Authority Design and Engineering Project	Design and engineering of a building in the Hardee County Commerce Park for incoming job creator, Hardee Nutritional, LLC. Project will match current investments to fund civil engineering and architectural design services and permitting.	\$ 34,434.65	
CDBG	Lake County	Lake		A Mobile Food Pantry will provide a source of emergency food for those in rural areas that cannot access centrally located food pantries.	\$ 653,511.00	BOCC - 315 W Main St #3813, Tavares, FL 32778
CDBG	City of Fort Meade	Polk		The City of Fort Meade will install city-wide broadband Internet service for the residents of Fort Meade and provide the LMI residents that reside there with six (6) months of service at no cost.	\$ 5,000,000.00	City Hall - 8 W Broadway St, Fort Meade, FL 33841
CDBG	City of Lake Wales	Polk		The City of Lake Wales will utilize CDBG-CV funds to construct sidewalk improvements to promote social distancing.	\$ 1,193,660.00	City Hall - 201 W. Central Ave Lake Wales, Florida 33880
CDBG	City of St. Augustine	St. Johns		The City of St. Augustine will use the CDBG-CV funds for St. Francis House Crisis Shelter to complete the renovation of the existing building at 64 Washington St. in St. Augustine, Florida.	\$ 1,251,229.00	City Hall - 75 King Street, St. Augustine, FL 32085
CDBG	St. Johns County	St. Johns		This project will construct an annex building to the County Emergency Operations Center, which will allow the County to train inoculation administration, train COVID-19 test administration, to distribute PPE, and for response and recovery resource storage, such as PPE and hand washing stations.	\$ 406,633.00	BOCC - 500 San Sebastian View, St. Augustine, FL 32084
					\$ 8,539,467.65	

From: Kelly, Alex [Alex.Kelly@eog.myflorida.com]
Sent: Thursday, April 7, 2022 6:23 PM
To: Ivey, Meredith [Meredith.Ivey@deo.myflorida.com]; Eagle, Dane [Dane.Eagle@deo.myflorida.com]; Fenske, Taryn M. [Taryn.M.Fenske@eog.myflorida.com]; Oglesby, Emilie [Emilie.Oglesby@deo.myflorida.com]; Kelly Jefferson, Savannah [Savannah.KellyJefferson@eog.myflorida.com]
BCC: Mahon, Jason [Jason.Mahon@eog.myflorida.com]
Subject: RE: [EXTERNAL] - FW: mill to close

Thanks for including us.

Taryn, do you think we ought to address this somehow in the talking points?

Or just include as a background item in the brief?

J. Alex Kelly
Deputy Chief of Staff
Executive Office of the Governor
(850) 443-8626
alex.kelly@eog.myflorida.com

From: Becca Hardin <Becca@bayeda.com>
Sent: Thursday, April 7, 2022 4:08 PM
To: Will Cramer <willcramer@gmail.com>; Kim Bodine <kbodine@careersourcegc.com>; ben.lee@hancockwhitney.com; McCloy, Catherine <Catherine.McCloy@joe.com>; patrick@talcor.com; 'Shane Boyett' <Charles.Boyett@nexteraenergy.com>; Kyle Shoots <KShoots@SSANDEINC.com>
Cc: Ben Moorman <Ben@bayeda.com>
Subject: FW: mill to close

As a heads up, please see below..

Becca Hardin
President, Bay Economic Development Alliance
5230 West Highway 98
Panama City, Florida 32401
850.890.2960 - Cell

From: Carol Roberts [<mailto:carol@baychamberfl.com>]
Sent: Thursday, April 7, 2022 3:50 PM
To: Becca Hardin <Becca@bayeda.com>
Subject: FW: mill to close



CAROL ROBERTS

PRESIDENT/CEO
BAY COUNTY CHAMBER OF COMMERCE
P: 850.215.3758 | F: 850.763.6229
PO BOX 1850, PANAMA CITY, FL 32402
CAROL@BAYCHAMBERFL.COM
2004 | 2010 | 2016 | 2019 CHAMBER OF THE YEAR

From: Tom Lewis <TLewis@wmbb.com>
Sent: Thursday, April 7, 2022 3:48 PM
To: Carol Roberts <carol@baychamberfl.com>
Subject: FW: mill to close

Sincerely,



Tom Lewis
News Director

WMBB-TV 13.1 ABC | EMBB-TV 13.2 ME-TV
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Panama City, FL 32401
Main Office: (850) 769-2313
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From: Brady Calhoun <BCalhoun@wmbb.com>
Sent: Thursday, April 7, 2022 3:48 PM
To: News - WMBB <News-WMBB@nexstar.tv>
Subject: mill to close

<https://ir.westrock.com/press-releases/press-release-details/2022/WestRock-to-Close-Panama-City-Florida-Paper-Mill/default.aspx>

WestRock to Close Panama City, Florida, Paper Mill

APRIL 07, 2022

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ATLANTA--(BUSINESS WIRE)-- WestRock Company (NYSE: WRK) today announced it will permanently cease operations at its mill in Panama City, Florida, by June 6, 2022.

The mill produces containerboard, primarily heavyweight kraft, and fluff pulp, with a combined annual capacity of 645,000 tons. Select grades of containerboard currently produced at the mill will be manufactured at other WestRock facilities.

“A decision to close a facility and impact the lives of our employees is never easy to make,” said David B. Sewell, chief executive officer at WestRock. “As we implement our plans to close the Panama City mill, we do so with great appreciation for the many contributions of the team there. We are committed to assisting our Panama City team with exploring roles at other WestRock locations and outplacement assistance.”

WestRock is committed to improving its return on invested capital as well as maximizing the performance of its assets, and the Panama City mill would require significant capital investment to maintain and improve going forward. In addition, production of fluff pulp is not a priority in the company’s strategy to focus on higher value markets. By closing this mill, significant capital that would be required to keep the mill competitive in the future will be deployed to improve other key assets.

The Panama City mill employs approximately 450 people. Employees of the Panama City mill will receive severance and outplacement assistance in accordance with Company policy and labor union agreements.

About WestRock

WestRock (NYSE: WRK) partners with our customers to provide differentiated, sustainable paper and packaging solutions that help them win in the marketplace. WestRock's team members support customers around the world from locations spanning North America, South America, Europe, Asia and Australia. Learn more at www.westrock.com.

Forward-looking Statements

This press release contains forward-looking statements within the meaning of the Private Securities Litigation Reform Act of 1995, including statements regarding plans to permanently cease operations at the Company's mill in Panama City, Florida, by June 6, 2022; select grades of containerboard currently produced at the mill will be manufactured at other WestRock facilities; WestRock is committed to improving its return on invested capital as well as maximizing the performance of its assets; production of fluff pulp is not a priority in the company's strategy to focus on higher value markets; by closing this mill, significant capital that would be required to keep the mill competitive in the future will be deployed to improve other key assets; and employees of the Panama City mill will receive severance and outplacement assistance in accordance with Company policy and labor union agreements. Forward-looking statements are based on our current expectations, beliefs, plans or forecasts and are typically identified by words or phrases such as "may," "will," "could," "should," "would," "anticipate," "estimate," "expect," "project," "intend," "plan," "believe," "target," "prospects," "potential" and "forecast," and other words, terms and phrases of similar meaning. Forward looking statements involve estimates, expectations, projections, goals, forecasts, assumptions, risks and uncertainties. We caution readers that forward- looking statements are not a guarantee of future

performance and that actual results could differ materially from those contained in forward-looking statements. Our businesses are subject to a number of general risks that would affect any such forward-looking statements. These risks are described in our filings with the Securities and Exchange Commission, including in Item 1A under the caption “Risk Factors” in our annual report on Form 10-K for the year ended September 30, 2021.

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Media:

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Manager, Corporate Communications
robby.b.johnson@westrock.com

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James Armstrong, 470-328-6327
Vice President, Investor Relations
james.armstrong@westrock.com

Source: WestRock Company

S. Brady Calhoun
Digital Executive Producer

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[View CareerSource Gulf Coast COVID-19 response updates here](#)

[View CareerSource Gulf Coast COVID-19 response updates here](#)

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From: Kelly, Alex [Alex.Kelly@eog.myflorida.com]
Sent: Monday, April 11, 2022 7:22 AM
To: Eagle, Dane [Dane.Eagle@deo.myflorida.com]; Adler, Marc [Madler@enterprise-florida.com]
CC: Redshaw, Caroline [Caroline.Redshaw@eog.myflorida.com]
Subject: FW: Follow-up: Denis St. Louis' Zoom Meeting

FYI

J. Alex Kelly
Deputy Chief of Staff
Executive Office of the Governor
(850) 443-8626
alex.kelly@eog.myflorida.com

From: Kelly, Alex
Sent: Monday, April 11, 2022 7:22 AM
To: 'Denis St Louis' <denis@mmlproductions.com>
Subject: RE: Follow-up: Denis St. Louis' Zoom Meeting

Denis, thank you so much for the conversation last week and the follow-up information. It was helpful and allowed us to dive deeper into your project.

After having the opportunity to research further and discuss, this is not an opportunity that aligns with our targeted industries approach.

As such, this is not an opportunity for which we would normally devote resources. Therefore, in the interest of your time and ours, I am cancelling the follow-up call.

We wish you the best of success in your endeavors.

Sincerely,

J. Alex Kelly
Deputy Chief of Staff
Executive Office of the Governor
(850) 443-8626
alex.kelly@eog.myflorida.com

From: Denis St Louis <denis@mmlproductions.com>
Sent: Tuesday, April 5, 2022 4:45 PM
To: Kelly, Alex <Alex.Kelly@eog.myflorida.com>
Cc: Adler, Marc <Madler@enterprise-florida.com>; Eagle, Dane <Dane.Eagle@deo.myflorida.com>; Redshaw, Caroline <Caroline.Redshaw@eog.myflorida.com>
Subject: Re: Follow-up: Denis St. Louis' Zoom Meeting

Hello Alex,

As per your request please find attached the brief two page summary of the project for you to peruse before our follow-up conversation, and ask that you please treat this information as confidential.

Due to the confidentiality of the project, documentation, and the Non Disclosure Agreements in place with my associates and partners, we would kindly ask that all future communications are directed to me.

Again by way of background, I am an economic development consultant and have served as an advisor to government and industry and worked with both private and public sector organisations to tackle a broad range of issues at both national and international levels, in particular opportunities and projects in the creative industries, finance, tourism, education, green energy, infrastructure, IT, conservation, and agriculture.

This first of it's kind multi-billion dollar project mirrors many of the U.S. national development goals for post-COVID recovery. It has received support from the office of the Governor from another State, is supported by German multi-national interests, and a meeting with the Executive Office is being discussed to present how my associates and I are working together to create up to 70,000 jobs, making it one of the largest economic development projects in the United States. The project is predicted to support and increase a State's GDP, export markets, with an emphasis on professional and highly skilled jobs which those revenues contributing to lowering the deficit; also reducing air emissions, and provide for career training for in-demand jobs **Made in America**, by providing healthy food sources, and help build on America's alliances and reputations at home and abroad.

I am grateful for the introductions to both the Secretary of Commerce and the Secretary of the Department of Economic Opportunity, and I am keen to continue the conversation about bringing this project to fruition in the State of Florida at your earliest convenience.

Kind regards,

Denis St. Louis
Economic Development Consultant

Principal
Project Big Ben (working title)

Email: denis@mmlproductions.com
Mobile: 737-226-1739

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On 5 Apr 2022, at 18:04, Dennis St. Louis <stls_d@yahoo.com> wrote:

[Sent from Yahoo Mail on Android](#)

----- Forwarded message -----

From: "Kelly, Alex" <Alex.Kelly@eog.myflorida.com>

To: "Denis St. Louis" <stls_d@yahoo.com>, "Sean Stone" <scstone52@gmail.com>

Cc: "Adler, Marc" <Madler@enterprise-florida.com>, "Eagle, Dane" <Dane.Eagle@deo.myflorida.com>, "Redshaw, Caroline" <Caroline.Redshaw@eog.myflorida.com>

Sent: Tue, 5 Apr 2022 at 17:56

Subject: Follow-up: Denis St. Louis' Zoom Meeting

Denis and Sean, great speaking with you earlier.

I'm adding Secretary of Commerce Marc Adler and Secretary of the Department of Economic Opportunity Dane Eagle to the conversation here.

I think one or both of them would be appropriate for a follow-up conversation to learn more about both your film/entertainment industry pursuits and also the electric vehicle interests of your affiliated partners.

Caroline, who is copied here, will help set up a follow-up Zoom or Teams conversation.

In the meantime, below my signature are a variety of economic development programs and tools that I think might be applicable to one or both of the topic areas we discussed. I'm sure there's more though that I'm missing, and this is not inclusive of opportunities that local communities might have as well.

Looking forward to any follow-up materials you can send our way, so we can have some pre-reading in advance of a follow-up conversation.

J. Alex Kelly

Deputy Chief of Staff

Executive Office of the Governor

(850) 443-8626

alex.kelly@eog.myflorida.com

Strategic Business Development

Grant Programs:

- **High Impact Performance Incentive** – grants to spur capital investment and job creation, reserved for major facilities operating in designated portions of high-impact sectors.

Tax Credits:

- **Capital Investment Tax Credit** - used to attract and grow capital-intensive industries operating in a designated high-impact portion of the following sectors in Florida: clean energy, biomedical technology, financial services, information technology, silicon technology, advanced manufacturing, or a corporate headquarters facility. Annual credit, provided for up to 20 years, against the corporate income tax. Businesses must make a cumulative investment of at least \$25 million and create a minimum of 100 new full-time jobs.
- **Renewable Energy Technologies Investment Tax Credit** - credit against the corporate income tax for 75 percent of all capital costs, operation and maintenance costs, and research and development costs in connection with an investment in the production, storage, and distribution of biodiesel, ethanol, and other renewable fuel in the state, including the costs of constructing, installing, and equipping such technologies in the state.

Tax Exemptions:

- **Research & Development Machinery and Equipment Sales Tax Exemption**- available for purchases or lease of machinery and equipment used predominantly for research and development purposes.

- **Electricity & Steam Sales Tax Exemption** – for electricity used directly and exclusively at a fixed location to operate machinery and equipment that is used to manufacture, process, compound, or produce items of tangible personal property for sale, or to operate pollution control equipment, recycling equipment, maintenance equipment, or monitoring or control equipment used in such operations.
- **Florida Entertainment Industry Sales Tax Exemption** - qualified purchases made by production companies for motion pictures, made-for-television motion pictures, television series, commercials, music videos or sound recordings are eligible.

Miscellaneous Incentives:

- **Expedited Permitting Review Process** – qualifying businesses can apply to be certified for an expedited review process for permitting and amendments to comprehensive plans. The process is to facilitate the location and expansion of economic development projects that offer job creation and high wages, strengthen and diversity the state’s economy, and have been thoughtfully planned to take into consideration the protection of the environment.

Workforce Development

- **Quick Response Training** - state-funded grant program that provides funding for customized training to new or expanding businesses in Florida’s targeted industries.
- **Veterans Florida** - helps military veterans transition to civilian life and to promote Florida’s status as the nation’s most veteran-friendly state. Includes a Florida Workforce Grant Program that reimburses qualified employers 50% of industry skills-based training costs for new or current veteran employees, a Career Services Program that connects veterans with employers who are eager to hire veterans for jobs, and a Florida Entrepreneurship Program that provides all the knowledge needed to successfully launch and operate a business.

Community Development

- **Rural Job Tax Credit Program** - tax credit for eligible businesses located within one of 36 designated Qualified Rural Areas to create new jobs.
- **Urban Job Tax Credit Program** - offers a tax credit for eligible businesses located within one of 13 designated urban areas to create new jobs.

- **Opportunity Zone Program** - fosters economic development and job creation in economically distressed communities by providing capital gains tax deferral or reduction for investments made in opportunity zone areas.

Florida Organizations Related to Economic Development

- **Department of Economic Opportunity (DEO)** – lead state agency for advancing economic development and growth throughout Florida, by promoting the state’s economic development vision and by administering state and federal programs and initiatives to help visitors, citizens, businesses, and communities. DEO’s Division of Strategic Business Development (includes the Office of Film and Entertainment) provides support for attracting out-of-state businesses to Florida, promoting the creation and expansion of Florida businesses and facilitating Florida's economic development partnerships. The division's duties include project development facilitation and support, as well as incentive and grant performance measurement. The Division of Workforce Services helps strengthen Florida's business climate by supporting employers and helping Floridians gain employment, remain employed, and advance their careers. The division’s duties include providing support functions for the state’s workforce development system, implementing the state's reemployment assistance program, and providing labor market information. The Division of Community Development (includes the Office of Broadband) manages the state's programs related to community economic growth, with an emphasis on underserved communities and areas, also administers economic relief programs related to disasters.
- **Enterprise Florida, Inc. (EFI)** – Florida’s principal state-level economic development organization, through outreach, promotion, and making available various incentives, EFI works to attract and expand business in Florida, with a focus on designated high growth/high wage targeted industries. Also conducts economic research and marketing and provides export assistance services to businesses.
- **CareerSource Florida, Inc.** - statewide workforce policy and investment board for the 24 local workforce development boards and 100 career centers throughout Florida. The CareerSource Florida network helps connect businesses with the talented workforce and training needed to succeed and grow. Administers the Quick Response Training (QRT) and Incumbent Worker Training (IWT) programs.
- **Space Florida** – promotes aerospace commercial development by supporting project financing, spaceport facilities and operations, research and development, workforce development, and education programs. Makes available financing tools that can lower a company’s overhead and operating costs, finances facilities and machinery and equipment of new or expanding aerospace companies, and works in

conjunction with The Florida Department of Transportation to develop needed space infrastructure.

- **Florida Development Finance Corporation** - statewide, special development financing authority for economic development purposes. State authorized issuer of industrial revenue bonds in counties throughout Florida through interlocal agreements. Supports economic development by assisting for-profit and not-for-profit businesses with access to capital for project financing.
- **Florida Opportunity Fund** – identifies and invests in a diversified, high-quality portfolio of seed and early stage venture capital funds that target (in whole or in part) investment opportunities within Florida. Includes the Florida Venture Capital Program which provides funding to emerging or early growth stage companies with long-term growth potential in select target industries, the Fund of Funds Program which invests in seed or early-stage venture capital fund portfolios and/or companies in order to realize significant, long-term capital appreciation, and the Clean Energy Investment Program which provides venture capital funding for businesses to increase the use of energy-efficient and/or renewable energy technologies, equipment and materials.
- **Florida Chamber of Commerce** - statewide business advocacy and research organization focused on encouraging a business friendly climate that allows private-sector jobs to contribute to Florida’s economy.
- **Florida Economic Development Council** – statewide umbrella organization for local economic development councils consisting of economic, workforce and community developers. These professionals work in Florida’s 67 counties, 400+ cities, 24 workforce regions, 28 colleges, 12 universities, as well as utilities, ports, airports and industrial authorities.

Please note that under Florida law correspondence sent to the Governor's Office, which is not confidential or exempt pursuant to chapter 119 of the Florida Statutes, is a public record made available upon request.

From: /O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=E1B65E53BD4B4E65B15DBF19FA0CDD50-KELLY, ALEX

Sent: Monday, April 11, 2022 6:05 PM

To: Eagle, Dane [Dane.Eagle@deo.myflorida.com]; Meredith Ivey [Meredith.Ivey@deo.myflorida.com]

Subject: Dixie

Attachments: 2431A - 3 - GGU - Dixie County Old Town Fire Station.docx; 2431A - 2 - GGU - Dixie County Emergency Operations Center Fire Station Addition.docx

The first two attachments are line items Dixie County had funded in the 2022 GAA.

Separately, Anna mentioned that DEP has Dixie County as one of many recipients from its total \$20 M for vulnerability assessments for resiliency. “The county will receive \$240,000 for a county-wide vulnerability assessment and adaptation plan, including peril of flood amendments.”

Lastly, Anna mentioned there was a specific water project in the budget for Dixie County funded at \$2.7 million for flood and stormwater mitigation – however there is not much information available regarding this project:

https://www.myfloridahouse.gov/Sections/Documents/loaddoc.aspx?FileName=664_v1.pdf&DocumentType=MemberBudgetRequests&Session=2022&BillNumber=3259.

Those are the four total projects I’m aware of.

J. Alex Kelly
Deputy Chief of Staff
Executive Office of the Governor
(850) 443-8626
alex.kelly@eog.myflorida.com

Dixie County Old Town Fire Station

Line Item# Project#

Sponsor(s): Sen. Bradley and Rep. Clemons

Agency: Department of Financial Services

GR: \$3,555,000 nonrecurring

TF: \$0

Total: \$3,555,000 nonrecurring

FTE: 0

New Program/Project

Existing Program/Project

Summary: Provides \$3,555,000 nonrecurring General Revenue to design and construct a new fire station in Dixie County to replace the currently damaged facility.

Background: The current fire station in Dixie County was damaged by Hurricane Hermine, and the repairs removed the living, eating, and sleeping areas and one bay. This led to the reassignment of a single fire unit, thus reducing response capabilities. Dixie County does not have a 24-hour hospital for emergency care; therefore residents and visitors rely on trained emergency response for stabilization. The new station will be approximately 11,000 sq. ft. and include engine bays, bunk rooms, common areas and a storm water retention area.

Justification: The new fire station will improve response times and life-saving capabilities to the community which includes Dixie County, the Town of Cross City, and the Town of Horseshoe Beach. The new station will also improve operations during declared disasters and emergencies, improve safety for emergency crews on duty, reduce liability for Dixie County, improve fire safety education and awareness of vocational training courses, and improve housing for staff and equipment storage. The new station will also allow for a quicker response time for agricultural related incidents, resulting in direct agricultural crop savings, and provide hazardous materials mitigation, emergency medical services, and vehicle extrication.

Quantitative/Qualitative Measures: The fire station will serve approx. 17,000 residents and tourists. Additionally, in August of 2021, the Board of County Commissioners agreed to increase the fire assessment from \$40 to \$125 annually, which allows the County to staff a fire station and hire volunteer firefighters. The project is estimated to be completed in 24 months.

Funding History: Dixie County is a fiscally constrained county. Requested and Received \$3,555,000. No local match will be provided. If no funding is received, the project will not go forward. Dixie County received \$2,396,007 in CARES funding which was used for emergency equipment and personnel.

Dixie County Emergency Operations Center Fire Station Addition

Line Item#2431A Project#2

Sponsor(s): Sen. Bradley and Rep. Clemons

Agency: Financial Services

GR: \$3,741,500 nonrecurring

TF:

Total: \$3,741,500

FTE:

New Program/Project

Existing Program/Project

Summary: Provides \$3,741,500 nonrecurring General Revenue to Dixie County to construct a fire station adjacent to the emergency operations center.

Background: The funds will be used to construct a fire station to house fire rescue staff (EMS and firefighters) allowing for continuous delivery of emergency services. This facility will replace two smaller fire stations not capable of housing needed personnel. This facility is located within the limits of Cross City, which is a dense population area of the County.

Justification: One of the existing fire stations is not habitable and fire rescue crews have been moved due to mold. They are currently sleeping in the living area of a nearby EMS station due to a lack of sleeping quarters. The fire apparatus is parked outside without a protective cover and the EMS unit is parked under an open shelter without climate protection.

Quantitative/Qualitative Measures: The new fire station will restore life-saving capabilities for the citizens living in Cross City and nearby communities. The fire station will serve about 50 percent of the County.

Funding History:

None.

Dixie County is fiscally constrained.

Amount requested: \$3,741,500. Amount received: \$3,741,500.

Total project cost: \$3,741,500. There is no local match.

The County indicated if state funding is not received the station will not be built.

The population of Dixie County is 16,589.

From: Kelly, Alex [Alex.Kelly@eog.myflorida.com]

Sent: Monday, April 11, 2022 6:05 PM

To: Eagle, Dane [Dane.Eagle@deo.myflorida.com]; Ivey, Meredith [Meredith.Ivey@deo.myflorida.com]

Subject: Dixie

Attachments: 2431A - 3 - GGU - Dixie County Old Town Fire Station.docx; 2431A - 2 - GGU - Dixie County Emergency Operations Center Fire Station Addition.docx

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Lastly, Anna mentioned there was a specific water project in the budget for Dixie County funded at \$2.7 million for flood and stormwater mitigation – however there is not much information available regarding this project:

https://www.myfloridahouse.gov/Sections/Documents/loaddoc.aspx?FileName=664_v1.pdf&DocumentType=MemberBudgetRequests&Session=2022&BillNumber=3259.

Those are the four total projects I'm aware of.

J. Alex Kelly

Deputy Chief of Staff

Executive Office of the Governor

(850) 443-8626

alex.kelly@eog.myflorida.com

Dixie County Old Town Fire Station

Line Item# Project#

Sponsor(s): Sen. Bradley and Rep. Clemons

Agency: Department of Financial Services

GR: \$3,555,000 nonrecurring

TF: \$0

Total: \$3,555,000 nonrecurring

FTE: 0

New Program/Project

Existing Program/Project

Summary: Provides \$3,555,000 nonrecurring General Revenue to design and construct a new fire station in Dixie County to replace the currently damaged facility.

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Justification: The new fire station will improve response times and life-saving capabilities to the community which includes Dixie County, the Town of Cross City, and the Town of Horseshoe Beach. The new station will also improve operations during declared disasters and emergencies, improve safety for emergency crews on duty, reduce liability for Dixie County, improve fire safety education and awareness of vocational training courses, and improve housing for staff and equipment storage. The new station will also allow for a quicker response time for agricultural related incidents, resulting in direct agricultural crop savings, and provide hazardous materials mitigation, emergency medical services, and vehicle extrication.

Quantitative/Qualitative Measures: The fire station will serve approx. 17,000 residents and tourists. Additionally, in August of 2021, the Board of County Commissioners agreed to increase the fire assessment from \$40 to \$125 annually, which allows the County to staff a fire station and hire volunteer firefighters. The project is estimated to be completed in 24 months.

Funding History: Dixie County is a fiscally constrained county. Requested and Received \$3,555,000. No local match will be provided. If no funding is received, the project will not go forward. Dixie County received \$2,396,007 in CARES funding which was used for emergency equipment and personnel.

Dixie County Emergency Operations Center Fire Station Addition

Line Item#2431A Project#2

Sponsor(s): Sen. Bradley and Rep. Clemons

Agency: Financial Services

GR: \$3,741,500 nonrecurring

TF:

Total: \$3,741,500

FTE:

New Program/Project

Existing Program/Project

Summary: Provides \$3,741,500 nonrecurring General Revenue to Dixie County to construct a fire station adjacent to the emergency operations center.

Background: The funds will be used to construct a fire station to house fire rescue staff (EMS and firefighters) allowing for continuous delivery of emergency services. This facility will replace two smaller fire stations not capable of housing needed personnel. This facility is located within the limits of Cross City, which is a dense population area of the County.

Justification: One of the existing fire stations is not habitable and fire rescue crews have been moved due to mold. They are currently sleeping in the living area of a nearby EMS station due to a lack of sleeping quarters. The fire apparatus is parked outside without a protective cover and the EMS unit is parked under an open shelter without climate protection.

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Funding History:

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Dixie County is fiscally constrained.

Amount requested: \$3,741,500. Amount received: \$3,741,500.

Total project cost: \$3,741,500. There is no local match.

The County indicated if state funding is not received the station will not be built.

The population of Dixie County is 16,589.

From: Kelly, Alex [Alex.Kelly@eog.myflorida.com]
Sent: Monday, April 25, 2022 6:47 PM
To: Ivey, Meredith [Meredith.Ivey@deo.myflorida.com]; Mahon, Jason [Jason.Mahon@eog.myflorida.com]
CC: Oglesby, Emilie [Emilie.Oglesby@deo.myflorida.com]; Eagle, Dane [Dane.Eagle@deo.myflorida.com]
Subject: RE: upcoming
Attachments: Upcoming Under Final Review Not Yet Available to Announce 4.25.22.xlsx

When do you think the two Gadsden will be ready (fully reviewed and approved)?

Those would be the two priority from this list.

J. Alex Kelly
Deputy Chief of Staff
Executive Office of the Governor
(850) 443-8626
alex.kelly@eog.myflorida.com

From: Ivey, Meredith <Meredith.Ivey@deo.myflorida.com>
Sent: Monday, April 25, 2022 6:43 PM
To: Kelly, Alex <Alex.Kelly@eog.myflorida.com>; Mahon, Jason <Jason.Mahon@eog.myflorida.com>
Cc: Oglesby, Emilie <Emilie.Oglesby@deo.myflorida.com>; Eagle, Dane <Dane.Eagle@deo.myflorida.com>
Subject: FW: upcoming

From: Melnick, Benjamin <Benjamin.Melnick@deo.myflorida.com>
Sent: Monday, April 25, 2022 3:05 PM
To: Ivey, Meredith <Meredith.Ivey@deo.myflorida.com>; Oglesby, Emilie <Emilie.Oglesby@deo.myflorida.com>
Cc: Butler, Ryan P <Ryan.Butler@deo.myflorida.com>; Doyle, Kate <Kate.Doyle@deo.myflorida.com>; Snipes, Miriam <Miriam.Snipes@deo.myflorida.com>
Subject: upcoming

Meredith/Emilie per your earlier requests. Upcoming but not yet available.

Thank you,

Benjamin M. Melnick
Deputy Secretary, Community Development

Florida Department of Economic Opportunity
Office: 850-717-8477
www.FloridaJobs.org



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Under Final Review - NOT AVAILABLE TO ANNOUNCE

CDBG-CV Items on this list are Under Final Review and award amounts are subject to change and communities may be removed from the list pending results of site visits and further application reviews.

CDBG-DR/HMGP Items on this list were received from local governments for a matching award to FDEM grants issued for the same project; these projects are pending an agreement developed by FDEM and may not qualify for an award from DEO, or the award amount might change, pending completion of FDEM agreement.

Grant Type	Applicant	County	Project Title	Project Description	Amount Under Review	Possible Event Location
CDBG-CV	Alachua County	Alachua		The proposed project is to convert an existing hotel into a single room occupancy facility to house the homeless.	\$ 4,000,781.54	
CDBG-DR	Bay County	Bay		Wastewater Distribution Mitigation (Phase II)	\$ 352,233.00	
CDBG-DR	Bay County	Bay		911 Fiber Optics Mitigation	\$ 631,300.00	
CDBG-DR	Bay County	Bay		Western Region Resiliency Center and Saferoom Complex	\$ 2,558,710.50	
CDBG-DR	Bay County	Bay		Multiple Roadways Drainage	\$ 2,206,537.50	
CDBG-DR	Lynn Haven	Bay		913 Colorado Avenue Elevation	\$ 87,350.00	
CDBG-DR	Mexico Beach	Bay		South of 15th Street Drainage	\$ 2,578,118.00	
CDBG-DR	Mexico Beach	Bay		Fire and Police Building, Code Plus and Hurricane Safe Room	\$ 501,174.00	
CDBG-DR	Panama City	Bay		Robinson Bayou Drainage (Phase II)	\$ 4,899,002.00	
CDBG-DR	Panama City	Bay		Public Works safe room	\$ 458,072.25	
CDBG-CV	City of Fort Lauderdale	Broward		The project is designed to bridge the digital divide for Low and Moderate-Income communities using a wireless solution. The project will utilize existing infrastructure to create a wireless mesh network and will provide free Internet access of up to 5G speed to residents in eligible neighborhoods.	\$ 906,510.00	
CDBG-CV	City of Hollywood	Broward		The Project shall provide working capital for City of Hollywood small business that are recovering from the financial Effects of the COVID-19 Health Emergency.	\$ 760,335.00	
CDBG-DR	Franklin County	Franklin		Alligator Point Property Acquisition and Demolition	\$ 100,646.00	
CDBG-CV	Gadsden County	Gadsden		This activity will provide a dedicated COVID Shelter in Gadsden County by rehabilitating, improving, and furnishing an existing county owned facility.	\$ 1,777,469.00	
CDBG-DR	Quincy	Gadsden		Virginia Street Lift Station Utility Protective Measures	\$ 23,985.00	
CDBG-DR	Gulf County	Gulf		Indian Pass Road elevation	\$ 754,426.00	
CDBG-DR	Gulf County	Gulf		Alternate Wastewater	\$ 6,998,305.00	
CDBG-DR	Gulf County	Gulf		Alternate Water Treatment Plant Utility Mitigation	\$ 1,946,046.00	
CDBG-DR	Gulf County	Gulf		Fuel Depot	\$ 70,806.00	
CDBG-DR	Chipola College	Jackson		Critical Building Hardening	\$ 1,018,488.84	
CDBG-DR	Cottondale	Jackson		Sprayfield Pump Station	\$ 18,494.00	
CDBG-DR	Cottondale	Jackson		Critical Facilities Generators	\$ 38,493.00	
CDBG-DR	Jackson County	Jackson		Critical Facilities Generators	\$ 433,534.00	
CDBG-DR	Marianna	Jackson		Wastewater Collection System	\$ 580,252.00	
CDBG-DR	Marianna	Jackson		Public Works Wind Retrofit and Generator	\$ 395,000.00	
CDBG-CV	Leon County	Leon		Leon County proposes to renovate the Concord School building in the Miccosukee rural community, located in northeastern Leon County.	\$ 3,604,207.49	
CDBG-DR	Liberty County	Liberty		Generators for Critical Facilities	\$ 131,365.00	
CDBG-DR	Talquin	Liberty		Liberty County Generators	\$ 199,200.82	
CDBG-CV	Village of Indiantown	Martin		The Village will create a road map for the Village to implement the widening of existing sidewalks and multi-purpose paths in the entire Village.	\$ 342,390.00	
CDBG-CV	City of Stuart	Martin		The Gary plaza will be purchased and rehabilitated into a business incubator and a job training center to respond to the economic affects of COVID 19. The plaza is located in an Low to Moderate Income neighborhood. The City lacks a business incubator service to help small businesses train and grow to be viable and help restore jobs to the market impacted by COVID.	\$ 4,791,000.00	
CDBG-CV	Martin County	Martin		Martin County will use the CDBG-CV award to rehabilitate Building 17 at the Martin County airport - Witham Field - as a Reimagining Education and Career Help (REACH) Learning Center to support Low and Moderate-Income residents that have lost employment resulting from COVID-19.	\$ 1,400,000.00	
CDBG-CV	City of Homestead	Miami-Dade		The City will provide rental and mortgage assistance to residents in need. The City will solicit applications and disperse funding in order of eligible applications received. The assistance will be available for all residents who live in the City of Homestead and can demonstrate financial need.	\$ 502,061.00	
CDBG-CV	City of Mary Esther	Okaloosa		Work will include the installation of 13,350 linear feet of sidewalks and related improvements along existing right of ways along Mary Esther Drive, Pryor Drive, Kohler Drive, Overstreet Drive, and North Street.	\$ 324,000.00	

CDBG-CV	City of Apopka	Orange		The City of Apopka will use the CDBG-CV award to construct sidewalks that will allow for social distancing. Sidewalks will also be reconstructed in areas where they may exist but need upgrading to accommodate the need additional spacing.	\$	800,000.00	
CDBG-CV	City of New Port Richey	Pasco		The project will construct 10,602 linear feet of a six-foot (6 ft.) wide sidewalk system in areas of the city that are not currently serviced by a sidewalks to provide residents with safe pedestrian walkways within the city.	\$	973,986.00	
CDBG-CV	Town of Wausau	Washington		The Town of Wausau is requesting CDBG-CV assistance to rehabilitate the Town's Community Center for use as a local COVID-19 testing and vaccination site.	\$	1,384,090.00	
CDBG-DR	Washington County	Washington		EMS Station Wind Retrofit	\$	11,108.25	
CDBG-DR	Washington County	Washington		Critical Facilities Hurricane Safe Room	\$	222,364.25	
CDBG-DR	Washington County	Washington		Williams Road Drainage	\$	413,248.25	
					\$	49,195,089.69	

From: /O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=E1B65E53BD4B4E65B15DBF19FA0CDD50-KELLY, ALEX

Sent: Friday, May 20, 2022 5:42 PM

To: Jones, Morgan [Morgan.Jones@deo.myflorida.com]; Mahon, Jason [Jason.Mahon@eog.myflorida.com]; Booker, Sydney [Sydney.Booker@eog.myflorida.com]

CC: Eagle, Dane [Dane.Eagle@deo.myflorida.com]; Ivey, Meredith [Meredith.Ivey@deo.myflorida.com]; Schrader, John [John.Schrader@deo.myflorida.com]; Spencer, Chris [Chris.Spencer@LASPBS.STATE.FL.US]; Gunder, Brandi [Brandi.Gunder@LASPBS.STATE.FL.US]

Subject: RE: Gadsden County Press Release

Attachments: 5.19.22 Gadsden County CDBG HMGP Budget_Final.docx

Morgan, great work. Adding Chris and Brandi in here too, because two of these projects in the attached are GAA-funded items.

And I'm not sure if Chris landed on which GAA-funded items we want to promote at the Tuesday the 24th event in Gadsden County.

Chris, let us know if you want to stay with these two projects from the GAA or make revisions.

J. Alex Kelly
Deputy Chief of Staff
Executive Office of the Governor
(850) 443-8626
alex.kelly@eog.myflorida.com

From: Jones, Morgan <Morgan.Jones@deo.myflorida.com>

Sent: Friday, May 20, 2022 4:26 PM

To: Mahon, Jason <Jason.Mahon@eog.myflorida.com>; Booker, Sydney <Sydney.Booker@eog.myflorida.com>

Cc: Kelly, Alex <Alex.Kelly@eog.myflorida.com>; Eagle, Dane <Dane.Eagle@deo.myflorida.com>; Ivey, Meredith <Meredith.Ivey@deo.myflorida.com>; Schrader, John <John.Schrader@deo.myflorida.com>

Subject: Gadsden County Press Release

Good afternoon Jason and Sydney,

Please see attached press release for Tuesday's event in Gadsden. This includes the two GAA line items Alex mentioned to include, but OPB may have more. We're happy to edit if needed.

Thank you,

Morgan R. Jones
Press Secretary, Office of Communications and External Affairs

Florida Department of Economic Opportunity

Office: 850-245-7104

www.FloridaJobs.org



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FOR IMMEDIATE RELEASE:

May XX, 2022

CONTACT: Governor's Press Office
(850) 717-9282
media.eog@myflorida.com

Governor Ron DeSantis Announces More Than \$12.5 Million in Community Development Funding, Budget Commitments to Gadsden County Communities

Tallahassee, FL - Today, Governor Ron DeSantis announced more than \$12.5 million in funding and budget commitments to Gadsden County communities. Upon the Governor's signing of the 2022-2023 General Appropriations Act, funding for two projects totaling \$10.7 million will be approved, continuing the administration's commitment to Florida's rural communities.

Governor DeSantis also awarded more than \$1.8 million in funding to Gadsden County communities through the Community Development Block Grant – Disaster Recovery (CDBG-DR) Program and the Community Development Block Grant – CV (CDBG-CV) Program to construct, rehabilitate, and expand critical infrastructure within Gadsden County.

DRAFT: "Gadsden County's economic development is integral to Florida's success, and we are committed to elevating its communities and increasing their access to vital resources," **said Governor DeSantis**. "These awards will support Gadsden County communities in their mission to diversify their economies and invest in their futures as they continue to grow."

DRAFT: "Under Governor DeSantis' leadership, Gadsden County has access to diverse, impactful opportunities that increase its resilience and strengthen its infrastructure," **said Secretary Dane Eagle**. "These awards are a testament to the Governor's commitment to Florida's rural communities, and DEO is proud to be a part of this coordinated effort to help continue their economic growth."

The CDBG-DR Rebuild Florida Hazard Mitigation Grant Match Program is administered by the Department of Economic Opportunity (DEO) and funds the local community's match portion of the Federal Emergency Management Agency's (FEMA) Hazard Mitigation Grant Program (HMGP) awards, which are administered by the Florida Division of Emergency Management (DEM), for eligible projects to support recovery efforts in communities impacted by Hurricane Michael.

The following community will receive an award through the Rebuild Florida CDBG-DR Hazard Mitigation Grant Match Program:

- **City of Quincy (\$23,985)** – to replace a failing bypass pump with a new, permanent bypass pump to prevent future backflow of wastewater.

The CDBG-CV program, also administered by DEO, primarily benefits low- and moderate-income residents. Activities include workforce housing, training, and sustainability, as well as broadband infrastructure and planning.

The following community will receive an award through the CDBG-CV Program:

- **Gadsden County (\$1,777,469)** – to rehabilitate, improve, and furnish an existing county-owned facility for public health use.

The following projects will be funded following the Governor’s signing of the 2022-2023 General Appropriations Act:

- **(\$10,000,000)** – Emergency Management FCO
- **(\$720,000)** – AMI Kids Prevention Leon and Gadsden

These awards follow more than \$7.1 million in additional community development funding awarded to Gadsden County in the month of April. The following communities received awards in April 2022:

- **City of Gretna (\$504,100)** – to support road and utility improvements in preparation for the construction of a new facility that will create 14 jobs and an estimated \$14.5 million capital investment in the City of Gretna.
- **City of Chattahoochee (\$3,789,000)** – to rehabilitate an existing former school building for use as a new senior center.
- **City of Gretna (\$2,253,500)** – to expand the city’s community center to allow for the provision of public health services.
- **City of Midway (\$600,000)** – to construct an education center with ADA compliant bathrooms, 5-station shooting stand, automated clay throwing equipment, and a 5-station small-bore rifle range.

For more information about the CDBG-CV Program, please visit FloridaJobs.org/CDBG-CV. For more information about the HMGP Match Program, please visit RebuildFlorida.gov.

About DEO

The Florida Department of Economic Opportunity combines the state’s economic, workforce and community development efforts, expediting economic development projects to fuel job creation in competitive communities and promote economic resiliency.

###

From: Kelly, Alex [Alex.Kelly@eog.myflorida.com]
Sent: Friday, May 20, 2022 5:43 PM
To: Jones, Morgan [Morgan.jones@deo.myflorida.com]; Mahon, Jason [Jason.Mahon@eog.myflorida.com]; Booker, Sydney [Sydney.Booker@eog.myflorida.com]
CC: Eagle, Dane [Dane.Eagle@deo.myflorida.com]; Ivey, Meredith [Meredith.Ivey@deo.myflorida.com]; Schrader, John [John.Schrader@deo.myflorida.com]; Spencer, Chris [Chris.Spencer@LASPBS.STATE.FL.US]; Gunder, Brandi [Brandi.Gunder@LASPBS.STATE.FL.US]
Subject: RE: Gadsden County Press Release
Attachments: 5.19.22 Gadsden County CDBG HMGP Budget_Final.docx

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To: Mahon, Jason <Jason.Mahon@eog.myflorida.com>; Booker, Sydney <Sydney.Booker@eog.myflorida.com>
Cc: Kelly, Alex <Alex.Kelly@eog.myflorida.com>; Eagle, Dane <Dane.Eagle@deo.myflorida.com>; Ivey, Meredith <Meredith.Ivey@deo.myflorida.com>; Schrader, John <John.Schrader@deo.myflorida.com>
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###

From: /O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=E1B65E53BD4B4E65B15DBF19FA0CDD50-KELLY, ALEX

Sent: Sunday, May 22, 2022 7:05 PM

To: Ivey, Meredith [Meredith.Ivey@deo.myflorida.com]; Crofoot, Katie [Katie.Crofoot@LASPBS.STATE.FL.US]; Dennard, Michelle [mdennard@careersourceflorida.com]; Collins, Andrew [acollins@careersourceflorida.com]; Eagle, Dane [Dane.Eagle@deo.myflorida.com]; Johnston, Adrienne [Adrienne.Johnston@deo.myflorida.com]; Womack, Caroline (Tisha) B. [Caroline.Womack@deo.myflorida.com]; Moriak, Allyce [Allyce.Moriak@deo.myflorida.com]

CC: Coyle, Frances [Frances.Coyle@LASPBS.STATE.FL.US]; Pollins, Stu [stu.pollins@laspbs.state.fl.us]; Mahon, Jason [Jason.Mahon@eog.myflorida.com]

Subject: RE: for review - draft board package for June

Attachments: 220518_DRAFT_Action Item 1_PY 2022 State and Regional Allocations AK.docx

I have some initial edits to the attached. Also adding in Frances, Stu and Jason, so they can review too.

Some high-level important points about my initial edits:

1. It needs to be spelled out that the \$9 million will be directed by decisions from the R.E.A.C.H. agencies, not the local boards. That's a must-have.
2. I've added some references to focusing on veterans' employment. Please look for additional ways to add this high-value focus.

Looking forward to seeing a next draft.

J. Alex Kelly
Deputy Chief of Staff
Executive Office of the Governor
(850) 443-8626
alex.kelly@eog.myflorida.com

From: Ivey, Meredith <Meredith.Ivey@deo.myflorida.com>

Sent: Wednesday, May 18, 2022 5:04 PM

To: Kelly, Alex <Alex.Kelly@eog.myflorida.com>; Crofoot, Katie <Katie.Crofoot@LASPBS.STATE.FL.US>; Dennard, Michelle <mdennard@careersourceflorida.com>; Collins, Andrew <acollins@careersourceflorida.com>

Cc: Eagle, Dane <Dane.Eagle@deo.myflorida.com>; Johnston, Adrienne <Adrienne.Johnston@deo.myflorida.com>; Womack, Caroline (Tisha) B. <Caroline.Womack@deo.myflorida.com>; Moriak, Allyce <Allyce.Moriak@deo.myflorida.com>

Subject: for review - draft board package for June

Team,

Following up to our discussions earlier this week, attached is the draft Board package and the attached Excel file includes an overview of the proposed funding.

Please let us know if you have any feedback, questions, or concerns.

Many thanks to Andrew for his collaboration this week!

Thank you,
Meredith Ivey
Chief of Staff

Florida Department of Economic Opportunity
Office: 850-245-7153
Email: Meredith.Ivey@deo.myflorida.com
www.FloridaJobs.org



This email communication may contain confidential information protected from disclosure by privacy laws and is intended for the use of the individual named above. If the reader of this message is not the intended recipient, this is notice to you that any dissemination, distribution or copying of this communication or any attachment to it may be a violation of federal and state privacy laws. If you have received this email in error, please notify the sender immediately by return email and delete this message. Please note that Florida has a broad public records law, and that all correspondence to me via email may be subject to disclosure. Under Florida law email addresses are public records.

Approved _____
Disapproved _____

Action Item 1

FISCAL YEAR 2022-2023 CAREERSOURCE FLORIDA NETWORK FUNDING

* * * * *

Each year, Florida is notified of several federal awards and state appropriations to be received during the upcoming fiscal year. In most cases, the manner for distributing these funds among the state and 24 local workforce development boards is defined in the authorizing federal act or in the state appropriations bill; however, the specific state and local calculations are not known until updated allocation factors are applied to the funding awards. This action item defines these specific allocations in accordance with the authorizing grants, provides recommendations for the allocation of state-level funds for various state initiatives that advance the statewide strategic goals for workforce development and seeks the approval of the CareerSource Florida State Board of Directors for specific reserves, commitments and local workforce development board allocations.

This action item covers the Florida Workforce System's major funding streams: the Workforce Innovation and Opportunity Act (WIOA), Temporary Assistance for Needy Families (TANF) and Wagner-Peyser Act (WP). It serves as the financial blueprint for operationalizing the unified brand values, vision, mission, promise and pillars of the State's CareerSource Florida network:

Our Values

- Business-Driven
- Continuous Improvement
- Integrity
- Talent Focus
- Purpose-Driven

Our Vision

Florida will be the global leader for talent.

Our Mission

The Florida Workforce System connects employers with qualified, skilled talent and Floridians with employment and career development opportunities to achieve economic prosperity.

Our Promise

Florida's Workforce System promises a dedicated team of professionals who possess an understanding of your needs. Uniquely positioned, we offer assets, expertise and effective partnerships to deliver seamless and efficient services, demonstrate our value to all customers through results and drive economic priorities through talent development.

Our Pillars

- Collaborate
- Innovate
- Lead

Funding provided under WIOA must be allocated in accordance with the authorizing federal act (Public Law 113-128, as amended). This act defines specific allocation methodologies for its three principal funding streams (Adult, Youth, and Dislocated Worker) to be followed in allocating funding to local workforce development boards. It also defines allowances for funding levels for the state rapid response initiative and state-level set-aside funds (also referred to as the Governor's Reserve or as discretionary state board funding).

In the case of TANF state-appropriated funds, the Florida Legislature allocates a certain level of funding to the workforce system but does not define specific local allocations or the specific allocation methodology that the state board must use. However, the Legislature does define specific line-item appropriations or specific proviso language which would be deducted from total funding available prior to the allocation of TANF funds to local workforce development boards. This board, in determining specific local allocations, is required to maximize funds distributed directly to the local workforce development boards through these appropriations, with such distributions to be based on the anticipated client caseload and the achievement of performance standards.

Specific direction and approval is needed by the board for key workforce investment areas as follows:

1. **Workforce Innovation and Opportunity Act Funding** consisting of the Adult, Youth and Dislocated Worker funding streams with three primary allocation categories:
 - a. Local Workforce Development Board Allocations
 - b. State-Level Set-Aside or Governor's Reserve
 - c. State Rapid Response Funds
2. **Temporary Assistance for Needy Families** including:
 - a. State-Level Allocations and Initiatives
 - b. Local Workforce Development Board Allocations and Initiatives
3. **Wagner-Peyser**:
 - a. Wagner-Peyser 7A
 - b. Wagner-Peyser 7B
4. **Budget Implementing Actions**

WORKFORCE INNOVATION AND OPPORTUNITY ACT (WIOA)

FEDERAL PROGRAM YEAR 2022 for Fiscal Year 2022/23 – \$133,431,747 (Prior Year 2021/22 – \$140,847,913; decrease of \$7,416,166 or -5.27%)

BASIC PURPOSE AND ELIGIBILITY:

1. Career services and training services for adults, youth and dislocated workers through the CareerSource Florida network; and,
2. Broad, nearly universal eligibility for career services, but more restrictive eligibility for training services based on priority for individuals with low income, employment barriers and/or dislocation from employment.

SPECIFIC MANDATES/LIMITATIONS: There are multiple federal restrictions and regulations governing allocation to state and local workforce development boards, including the use of funds, reporting, etc. Further, state law mandates percentages of WIOA funds that must be used for Individual Training Accounts (ITAs) at the local level.

DISTRIBUTION MECHANISMS: Federal laws specify formulas for distributing WIOA funds among states and for sub-state allocations, primarily based upon relative shares of workforce, unemployment and poverty factors. WIOA (Public Law 113-128) provides that for Adult and Youth funding streams, 85% of the total federal award must be distributed to local workforce development boards by formula, allowing the Governor to reserve up to 15% at the state level for operational expenses, performance-based incentive payments to boards, program management and oversight, and state board-authorized initiatives. Similarly, WIOA Dislocated Worker funds also allow 15% to be transferred to the state-level “pool,” with another 25% of the total federal award allocated for purposes of funding a state-level program for rapid response assistance to dislocated workers, including emergency supplements to local workforce development boards. The remaining 60% of the federal dislocated worker funds are then distributed to the boards based on a formula that uses local economic factors.

SPECIFIC FUND DISTRIBUTIONS FOR FY 2022/23: The PY2022 funding allotments to the states, published in TEGl 9-21, are reflected in this board presentation. For specific identification of amounts to be received under the various WIOA categories by the state and local workforce development boards, refer to the flowchart titled “***Florida Funding for Workforce Innovation and Opportunity Act.***”

As shown on the following chart, a total of **\$133,431,747** will be awarded to Florida from Program Year 2022 funds for Fiscal Year 2022/23, down by **\$7,416,166** or a decrease of **5.27%** from the previous year’s grant award. From the total WIOA funds awarded, **\$20,014,759**, is allocated by the federal act to the state-level set-aside pool; the statewide Dislocated Worker Program for the Rapid Response Unit is allocated 25%, or **\$11,679,137**, of the federal dislocated worker funding, and the balance of **\$101,737,851** is allocated to the 24 local workforce development areas.

	<u>FY 2022/23</u>	<u>FY 2021/22</u>	<u>Change</u>
Total WIOA Grant Award	\$ 133,431,747	\$ 140,847,913	\$ (7,416,166)
State Set-Aside	20,014,759	21,127,183	(1,112,424)
Rapid Response	11,679,137	12,822,681	(1,143,544)
Local Allocations	101,737,851	106,898,049	(5,160,198)

LOCAL WORKFORCE DEVELOPMENT BOARD (LWDB) ALLOCATIONS

As shown on the *Florida Funding for Workforce Innovation and Opportunity Act* chart for Program Year 2022, a total of **\$101,737,851** is available through direct formula allocations to local workforce development areas from the Adult, Youth and Dislocated Worker funds. The spreadsheet titled "*Program Year 2022 Workforce Innovation and Opportunity Act, Local Workforce Development Board Formula Allocations*," shows the total allocations of WIOA funds with a comparison to the prior year, and the four sets of spreadsheets that follow it reflect the individual allocations for each of the three funding streams.

STATE SET-ASIDE ALLOCATIONS

15% State Set-Aside Allocation – As shown in the *Florida Funding for Workforce Innovation and Opportunity Act* chart, the federal act allocates a portion of each of the WIOA Adult, Youth and Dislocated Worker funding streams for use by the Governor for state-level initiatives. For Fiscal Year 2022/23, the amount currently allocated to the state is **\$20,014,759**.

After statewide administrative and program costs of the Department of Economic Opportunity (DEO) and CareerSource Florida, Inc., are deducted from the total WIOA funds available, the remaining balance is available for the Governor's discretionary projects. The State Board determines specific allotments for purposes of state demonstration and pilot projects as well as other workforce development initiatives.

Total WIOA Set-Aside Pool	<u>FY 2022/23</u> \$20,014,759
Plus Estimated Balance of Recaptured Funds (includes Est. Balance of Rapid Response 15% State Level)	9,585,070
Total WIOA Funds Available	\$29,599,829
Less Statewide Administrative and Program Services:	
DEO	(4,703,330)
CareerSource Florida	(3,064,025)
LWDB Support and Shared Services	(1,749,931)
Balance of Funds Available for State Board Discretion	\$20,082,543

Discretionary Board Allocations – As shown in the previous tabulation, the Governor has available discretionary funding in the amount of **\$20,082,543**, after combining the balance of WIOA unobligated funding brought forward from the prior year with the new year's WIOA grant award and accounting for statewide administrative and program services.

Supporting Aviation Aerospace and Defense Manufacturing through a Comprehensive Sector Strategy Approach (\$9,000,000)

Florida continues to raise the bar on talent development, especially in key industry sectors. Through Executive Order 19-31, Governor Ron DeSantis has charted a course for Florida to become number one in the nation in workforce education by 2030 as well as ensuring Florida students are prepared to fill the high-demand, high-wage jobs of today and the future.

Empowered by the vision of the Reimagine Education and Career Help (REACH) Act, this concrete and defined vision is multi-pronged and financially well-supported for long-term success and will enable our state to maintain and grow its workforce to support the Aviation Aerospace and Defense Manufacturing talent ecosystem for today, tomorrow and in the future.

Florida has long been the world's premier gateway to space, undisputed air traffic hub for the western hemisphere, and major center for flight training and maintenance/repair/overhaul operations, and home to manufacturing of aircraft and aviation/aerospace components. Florida is also a leading location for defense manufacturers and is home to 20 major military installations.

There is no doubt too that Florida has benefitted from 1.5 million veterans calling Florida home. Florida has gained the reputation as being the most veteran-friendly state in the nation in-part because of the state's commitment to workforce training and employment of its veterans.

Military veterans are often trained in the very skills that aviation, aerospace, and defense manufacturers employ, and the resources of CareerSource and other partner agencies can be efficiently leveraged to help these top professionals upskill and land high-demand, high-wage jobs at Florida-based manufacturers. What is more, Florida's ability to place a focus on training veterans for these jobs also acts as a powerful tool to encourage such manufacturers to locate and grow their companies in Florida.

In recent months, Florida's economic development and workforce education partners – CareerSource, the Florida Department of Economic Opportunity, Enterprise Florida, Space Florida and the Florida Department of Education – have also seen a noteworthy uptick in requests for a variety of workforce education supports from these industries, commonly clustered in counties stretching from Duval to St. Lucie counties, and including Orange County.

Furthermore, according to the 2022 Florida Defense Industry Economic Impact Analysis by the Florida Defense Support Task Force, Florida's defense industries supported more than \$860 jobs and experienced a 12 percent increase in direct defense spending from \$44 billion in 2018 to \$49.3 billion in 2020. And defense spending in 2020 increased to more than \$96.6 billion in value-added economic impacts, or 8.5% of the Florida economy. All this occurred while Florida's economy was rebounding, proving that job training investments in defense industries are investments in stabilizing industries.

For example, June 10, 2022, a group of the agencies' leadership are hosting a convening at Eastern Florida State College with several such manufacturing industry representatives to discuss common credentials, certifications and training needs for similarly situated manufacturers, with the goal of seeding and better aligning offerings at nearby state colleges, tech colleges, state universities, CareerSource boards and private postsecondary institutions.

Targeting the use of the Workforce Innovation and Opportunity Act (WIOA) Governor's Set Aside funds for 2022, and aligning these funds with other strategic investments, can amplify a comprehensive investment approach that will cultivate short- and long-term sustainable talent pipelines and accelerate Florida's competitiveness in this legacy sector.

A Sector Strategy Approach

Sector strategies are regional, industry-focused approaches to building a skilled workforce and are one of the most effective ways to align public and private resources to address the talent needs of employers. At the heart of sector strategies are sector partnerships among companies in these target industries and other regional partners who work together to development and implement solutions for the industry's workforce and other needs. These partnerships are led by businesses working collaboratively with workforce development, the Florida Department of Education, the Department of Economic Opportunity, Enterprise Florida, Space Florida, and other education and training, economic development, and community organizations.

CareerSource Florida's Sector Strategies Policy, approved by the Board in February 2018, lays out Florida's vision for effectiveness and requires local workforce development boards to include their approach to establishing, implementing, and sustaining effective sector strategies in their local plans. Several boards have professional team members identified as sector strategists. See more at <https://careersourceflorida.com/about-us/policies-and-initiatives/sector-strategies/>

Aligning to Market Demand

Thanks to the leadership of Governor DeSantis, Florida continues to rebound from the impacts of the global pandemic. Key trends that will drive growth for these industry sectors include recovery in air travel, leveraging innovation for building advanced military capabilities, such as improved capabilities in fighter aircraft, space resilience, shipbuilding, munitions, and cybersecurity. Innovation will also continue accelerating growth in the space market—launch industry, satellite trends and new technology space-based services. By listening to the talent needs of companies in these sectors and developing customized training solutions, we can help ensure businesses are competitive in our state.

Fully Customized Workforce Recruitment and Training Solutions

Using the WIOA Governor's Set Aside funds for 2022, local workforce development boards with military installations and sector businesses anchored in their areas will have flexibility to use the funds in a customized manner to meet business and industry's needs, including but not limited to use of the funding as follows:

Strategic Outreach in Candidate Recruitment –Enhancing access for all Floridians to good-paying jobs includes casting a wider net to reach untapped and under tapped talent pools, especially veterans transitioning from the military into private sector employment. Local workforce development boards have committed professional team members with deep experience to assist with talent recruitment. These boards can also innovatively use this funding to support new training programs, offset tuition for trainees, provide work-based learning opportunities (like registered apprenticeship), and provide wrap-around supportive services for eligible participants to ensure their job placement success and longevity.

Quick Response Training and Incumbent Worker Training – Florida's landmark employer-driven customized training programs have a long history of meeting business training needs. Quick Response Training is now in its 29th year; and Incumbent Worker Training will soon reach its silver anniversary. Created in 1993, the Quick Response Training program has served more than 900 businesses and trained nearly 195,000 workers. Created in 1999, the Incumbent Worker Training program has helped more than 2,900 businesses and trained at least 195,000 workers. Companies surveyed report that the programs have a significant impact on their businesses, citing benefits such as increased employee knowledge and productivity, process efficiency gains and reduction in employee turnover.

Additional funds from the state set aside can be used to bolster the IWT training grant program and meet employer-driven skills upgrade training needs from sector-based businesses.

Transitioning Military Personnel through the SkillBridge Program – Managed by Veterans Florida, this program can help engage transitioning military personnel with employment in the two industry sectors of focus. SkillBridge creates unprecedented opportunities for transitioning service members, builds a talent pipeline for employers, and reinforces Florida’s flag as the top destination for military families.

In addition, these funds will allow the collective partner agencies to reach beyond those whom Veterans Florida can serve with existing resources, ensuring that where there is demand for upskilling there are options for Florida’s veterans.

Pathway to Career Opportunity Grant Program – CareerSource and the partner agencies will further leverage other agencies’ set-sides, for example a \$5 million set-aside that the Florida Department of Education will dedicate to this effort from the Pathways to Career Opportunity Grant (apprenticeship) program. All apprenticeships and pre-apprenticeships begin with an employer, so facilitating this time-tested talent solution as part of the sector strategy approach and aligning to market demand, can be a win-win for the state. Such cross-agency strategies will give the collective workforce partner agencies the ability to braid funding and tackle business and industry needs through comprehensive and creative strategies that ensure business and industry are greeted with the same “no wrong door” approach as is intended for the future talent pipeline.

The Florida Talent Ecosystem Advantage includes critical pipeline pathways that train and educate the next generation of the aviation/aerospace and defense manufacturing workforce to embrace new innovations, discoveries, and technologies. As the industry evolves, we are committed to deliver those workforce skills and competencies to help businesses achieve economic competitiveness. Our talent advantage also consists of targeted talent recruitment strategies, assessment and work-based supports, to attract and develop a diverse, innovative talent pool as well as deploy customized employer-driven training solutions. Florida has the assets in place and strong track record of collaboration to enable hands-on training, learning, mentoring, and apprenticeships that equip workers with the technical skills needed to enter and advance in these industry sectors.

Demand Driven Expansion of Priority Commitments (\$2,000,000)

Through the disciplined process of validating project ideas and activities, there is a recognized need to continually evaluate new and timely project proposals that address state priorities as well as changes in Florida’s economy that demand action. As these opportunities arise, the state workforce development board must be prepared to take proactive steps to analyze and address changing conditions.

CareerSource Florida will collaborate with the Executive Office of the Governor, DEO, FDOE, and other strategic partners to monitor the demands of 2021’s programs and initiatives that have previously been assisted through WIOA state set aside dollars and that assist targeted populations. Where necessary, these funds may be used to supplement those services that are in greatest demand. In particular, the partner agencies will monitor the need to plus-up funding for 2021’s Veterans and Military Spouses program, as it was the first to launch in 2021 and likely to see the greatest need for additional funding in its second year, given partner agencies’ focus on job training for veterans.

These demand-driven and flexible funds will position Florida to best address and respond to workforce development strategies resulting from emerging needs and initiatives throughout the year.

Direct Support to Single Pregnant Women (\$500,000)

Low income, single, pregnant women seeking a pathway to prosperity may be assisted by new skill attainment through work-based learning and other training models. Helping mothers and mothers-to-be achieve successful employment positions these Floridians for lasting positive impacts on their families and communities.

Support of the business community and community partners can be better leveraged by braiding federal workforce funding to support the path to economic self-sufficiency that can start with a family-supporting job that leads to a career pathway.

This targeted initiative requires the collective expertise and services of four primary partners: the Florida Departments of Children and Families, Economic Opportunity and Education, and the CareerSource Florida network of state and local workforce development boards by establishing strategic partnerships with business and industry leaders, faith-based organizations, community care providers and education partners.

Local partners will include, but not be limited to:

- Local workforce development boards
- 211 providers
- United Way
- Goodwill
- Places of worship
- Social services departments
- Community action agencies
- Childcare providers
- County K-12 school systems
- Crisis assistance organizations

\$500,000 in dedicated WIOA funding will be distributed to local workforce development boards selected by the primary state agency partners to assist in identifying concierge coordinators to directly assist single mothers and pregnant women job seekers secure employment and training with an emphasis on work-based learning models.

To support the participants' work-based learning opportunities, partnerships with organizations providing direct and wrap-around services should be leveraged to ensure non-duplication of services and the ability to fully engage in employment opportunities, earning a wage while pregnant.

Incumbent Worker Training Grant Program (\$3,000,000)

When workers lack needed training and businesses experience skills gaps, the company's ability to compete, expand and retain workers can be compromised. Florida's Incumbent Worker Training (IWT) grant program addresses such needs. The IWT program was created to provide grant funding for continuing education and training of incumbent employees at existing Florida businesses. It has proven to be a popular resource for small businesses.

Rural Initiatives (\$2,000,000)

Florida has identified 29 Florida counties and six cities in three additional counties as Rural Areas of Opportunity. These counties and cities face extraordinary economic challenges. Historically, CareerSource Florida's Board of Directors has designated supplementary allocations for local workforce development boards identified as rural boards to support operations by Florida's smallest local workforce development boards in providing workforce services to employers and residents in

the areas they serve. Initiatives funded through this allocation will support critical workforce development needs in rural communities.

Serving Priority Commitments through Business Engagement (\$500,000)

With 24 local workforce development boards and nearly 100 career centers, the Salesforce instance provides a consistent and standardized process for tracking businesses served and helps in identifying and deepening the CareerSource Florida network’s business market penetration. With Salesforce, Florida’s workforce system now has a cross-local resource in place with a singular aim of improving services to business seamlessly and efficiently.

Support System Improvements and Reimagining Education and Career Help (REACH) Act Implementation (\$3,000,000)

\$2.5M to support modernizing the alignment of local workforce development boards to better support service excellence across the CareerSource Florida network with an emphasis on serving the state’s priority commitments. This includes transition assistance, supporting the creation of new legal entities, rebranding assistance, and organizational change management.

\$500K to support the work of the Florida Credentials Review Committee including finalizing the framework of quality in accordance with Labor Market Estimating Committee data, reviewing and prioritizing postsecondary degrees and certificates, expansion of the Florida CLIFF Dashboard tool and making the information publicly available to facilitate informed learner choice

Discretionary Funding Summary

Pending approval of the recommended reserves and commitments outlined here, an estimated balance of \$82,543 will be available to be added to the budgeted reserve or carried forward into the next fiscal year. This amount is an estimate because certain current-year funds may not be available for carry-forward purposes and allocated funds may not be expended at the level expected during the fiscal year.

Total 2022/23 WIOA Funds Available	\$20,082,543
Less Proposed Discretionary Board Projects:	
Supporting Aviation Aerospace & Defense	(9,000,000)
Demand Driven Expansion of Priority Commitments	(2,000,000)
Direct Support to Single Pregnant Women	(500,000)
Incumbent Worker Training	(3,000,000)
Rural Initiatives	(2,000,000)
Salesforce CRM Licenses	(500,000)
System Improvements and REACH Act Implementation	(3,000,000)
Balance Remaining for State Projects	\$82,543
WIOA – STATE RAPID RESPONSE FUNDS	

As noted previously, **25%, or \$11,679,137**, of the total federal WIOA Dislocated Worker funding (\$46,716,550) provided to the state for Fiscal Year 2022/23 may be reserved by federal law for the purposes of establishing and operating the state-level Rapid Response Unit and providing emergency allocations to address local dislocation events. From this amount, the board is required by Chapter 445, F.S., to maintain an emergency reserve, historically set at \$1,000,000, to fund

the operational costs of the DEO Rapid Response Unit.

The following tabulation shows the distribution of the total federal award for 2022/23:

Total Dislocated Worker Funds (22/23)	\$46,716,550
Less Local Pass-Through (60%)	(28,029,932)
Less State-Level Set Aside (15%)	<u>(7,007,482)</u>
Balance for State-Level Rapid Response Reserve (25%)	\$11,679,137

From the total Rapid Response funding available to the board from new-year funding, program management costs of **\$500,000** are being requested as well as continuation of the **\$1,000,000** emergency reserve to address major events that may occur during Fiscal Year 2022/23.

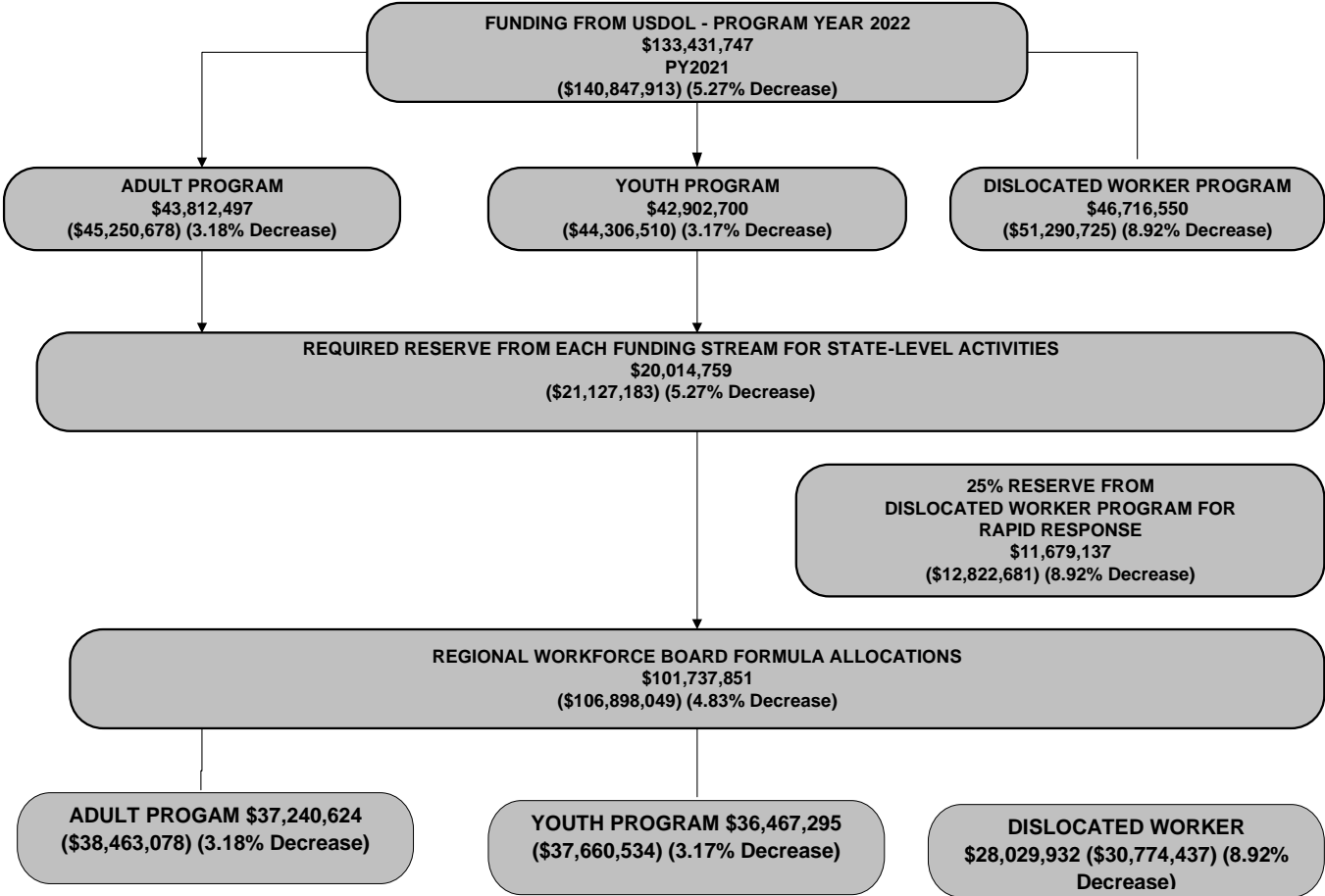
Total Rapid Response State-Level Allocation	\$11,679,137
Less: Proposed Rapid Response Program Unit Costs	(500,000)
Less: Proposed Emergency Reserve (<i>Chapter 445, F.S.</i>)	(1,000,000)
Less: Rapid Response Allocations	(1,500,000)
Less: Supplemental Dislocated Worker Allocation	<u>(8,679,137)</u>
Balance	\$0

In order to ensure that Florida implements a comprehensive, proactive rapid response system, \$1,500,000 will be distributed to the LWDBs. Supplemental Dislocated Worker funds will be distributed in the amount of \$8,679,137 back to the boards via formula allocation. The \$1,000,000 emergency reserve will allow DEO to fund supplemental requests from local workforce development boards during the upcoming fiscal year for major dislocations and plant closures as well as the needs of the unemployed and long-term unemployed.

FOR CONSIDERATION

Approval of the Program Year 2022/23 WIOA state-level discretionary board projects.

FLORIDA FUNDING FOR WORKFORCE INNOVATION & OPPORTUNITY ACT



**Program Year 2022 Workforce Innovation and Opportunity Act
Local Workforce Development Board Formula Allocations**

LOCAL WORKFORCE DEVELOPMENT BOARDS		WIOA ADULT	WIOA YOUTH	WIOA DISLOCATED WORKER	PY 2022 FINAL ALLOCATION	PY 2021 FINAL ALLOCATION	DIFFERENCE	%
1	CareerSource Escarosa	\$703,484	\$870,776	\$546,454	\$2,120,714	\$2,243,723	(\$123,009)	-5.48%
2	CareerSource Okaloosa Walton	\$284,534	\$225,123	\$228,466	\$738,123	\$785,513	(\$47,390)	-6.03%
3	CareerSource Chipola	\$290,824	\$241,492	\$111,145	\$643,461	\$708,847	(\$65,386)	-9.22%
4	CareerSource Gulf Coast	\$444,290	\$383,159	\$372,082	\$1,199,531	\$1,286,837	(\$87,306)	-6.78%
5	CareerSource Capital Region	\$784,604	\$1,500,596	\$460,745	\$2,745,945	\$2,861,795	(\$115,850)	-4.05%
6	CareerSource North Florida	\$326,215	\$276,036	\$128,329	\$730,580	\$717,207	\$13,373	1.86%
7	CareerSource Florida Crown	\$245,945	\$299,249	\$113,363	\$658,557	\$685,704	(\$27,147)	-3.96%
8	CareerSource Northeast Florida	\$2,326,818	\$2,362,153	\$2,024,776	\$6,713,747	\$7,181,765	(\$468,018)	-6.52%
9	CareerSource North Central Florida	\$524,159	\$1,064,693	\$388,779	\$1,977,631	\$2,288,815	(\$311,184)	-13.60%
10	CareerSource Citrus Levy Marion	\$1,208,208	\$1,150,624	\$586,007	\$2,944,839	\$3,137,777	(\$192,938)	-6.15%
11	CareerSource Flagler Volusia	\$1,013,389	\$957,223	\$805,820	\$2,776,432	\$2,997,558	(\$221,126)	-7.38%
12	CareerSource Central Florida	\$4,957,397	\$5,101,343	\$3,953,315	\$14,012,055	\$15,556,435	(\$1,544,380)	-9.93%
13	CareerSource Brevard	\$759,459	\$655,959	\$647,003	\$2,062,421	\$2,214,129	(\$151,708)	-6.85%
14	CareerSource Pinellas	\$1,363,109	\$1,083,069	\$1,108,830	\$3,555,008	\$3,874,150	(\$319,142)	-8.24%
15	CareerSource Tampa Bay	\$2,422,824	\$2,607,188	\$1,998,564	\$7,028,576	\$7,253,655	(\$225,079)	-3.10%
16	CareerSource Pasco Hernando	\$1,008,942	\$919,265	\$813,033	\$2,741,240	\$3,027,199	(\$285,959)	-9.45%
17	CareerSource Polk	\$1,501,921	\$1,435,634	\$1,052,973	\$3,990,528	\$4,096,637	(\$106,109)	-2.59%
18	CareerSource Suncoast	\$929,003	\$747,202	\$736,050	\$2,412,255	\$2,656,391	(\$244,136)	-9.19%
19	CareerSource Heartland	\$529,187	\$566,138	\$222,494	\$1,317,819	\$1,404,092	(\$86,273)	-6.14%
20	CareerSource Research Coast	\$964,646	\$857,133	\$795,960	\$2,617,739	\$2,968,753	(\$351,014)	-11.82%
21	CareerSource Palm Beach County	\$2,171,072	\$2,020,355	\$1,797,707	\$5,989,134	\$6,520,714	(\$531,580)	-8.15%
22	CareerSource Broward	\$3,333,563	\$2,914,085	\$3,176,981	\$9,424,629	\$9,320,477	\$104,152	1.12%
23	CareerSource South Florida	\$7,202,678	\$6,525,605	\$4,629,324	\$18,357,607	\$17,607,094	\$750,513	4.26%
24	CareerSource Southwest Florida	\$1,944,353	\$1,703,195	\$1,331,732	\$4,979,280	\$5,502,782	(\$523,502)	-9.51%
STATEWIDE TOTALS		\$37,240,624	\$36,467,295	\$28,029,932	\$101,737,851	\$106,898,049	(\$5,160,198)	-4.83%

**Program Year 2022 Workforce Innovation and Opportunity Act
Adult Program Local Workforce Development Board Formula Allocations**

LOCAL WORKFORCE DEVELOPMENT BOARDS	AREA OF SUBSTANTIAL UNEMPLOYMENT			ECONOMICALLY DISADVANTAGED		LWDB SHARE	HH *	PY2022 FINAL ALLOCATION	PY2021 FINAL ALLOCATION	DIFFERENCE	%
	LABOR FORCE	Unemployed		Total	Excess						
		Total	Rate								
1 CareerSource Escarosa	140,761	9,091	6.5%	41,790	38,890	0.018890237	*	\$703,484	\$757,453	(\$53,969)	-7.13%
2 CareerSource Okaloosa Walton	39,492	2,568	6.5%	21,615	19,980	0.007640427		\$284,534	\$306,862	(\$22,328)	-7.28%
3 CareerSource Chipola	18,676	1,222	6.5%	25,000	24,477	0.007809325		\$290,824	\$307,346	(\$16,522)	-5.38%
4 CareerSource Gulf Coast	41,630	2,688	6.5%	21,215	20,031	0.011930253	*	\$444,290	\$430,743	\$13,547	3.15%
5 CareerSource Capital Region	129,044	8,339	6.5%	40,125	37,788	0.021068496	*	\$784,604	\$832,202	(\$47,598)	-5.72%
6 CareerSource North Florida	34,756	2,261	6.5%	25,780	25,199	0.008759659		\$326,215	\$300,302	\$25,913	8.63%
7 CareerSource Florida Crown	16,478	1,065	6.5%	20,915	20,314	0.006604224	*	\$245,945	\$258,429	(\$12,484)	-4.83%
8 CareerSource Northeast Florida	488,686	31,602	6.5%	128,970	118,721	0.062480644	*	\$2,326,818	\$2,430,822	(\$104,004)	-4.28%
9 CareerSource North Central Florida	72,284	4,703	6.5%	30,035	28,177	0.014074922	*	\$524,159	\$555,406	(\$31,247)	-5.63%
10 CareerSource Citrus Levy Marion	182,724	11,788	6.5%	58,350	55,782	0.032443289	*	\$1,208,208	\$1,278,426	(\$70,218)	-5.49%
11 CareerSource Flagler Volusia	248,288	16,025	6.5%	58,470	54,740	0.027211921		\$1,013,389	\$1,089,968	(\$76,579)	-7.03%
12 CareerSource Central Florida	1,311,635	94,538	7.2%	217,270	200,873	0.133118003		\$4,957,397	\$5,251,369	(\$293,972)	-5.60%
13 CareerSource Brevard	182,718	11,792	6.5%	44,825	41,250	0.020393290		\$759,459	\$799,781	(\$40,322)	-5.04%
14 CareerSource Pinellas	330,508	21,354	6.5%	79,745	73,614	0.036602747		\$1,363,109	\$1,461,575	(\$98,466)	-6.74%
15 CareerSource Tampa Bay	590,682	38,116	6.5%	119,555	109,981	0.065058637	*	\$2,422,824	\$2,518,175	(\$95,351)	-3.79%
16 CareerSource Pasco Hernando	246,007	15,869	6.5%	58,025	54,097	0.027092520	*	\$1,008,942	\$1,107,729	(\$98,787)	-8.92%
17 CareerSource Polk	320,216	21,688	6.8%	66,330	62,328	0.040330166	*	\$1,501,921	\$1,583,755	(\$81,834)	-5.17%
18 CareerSource Suncoast	227,987	14,714	6.5%	54,215	49,634	0.024945947		\$929,003	\$1,022,443	(\$93,440)	-9.14%
19 CareerSource Heartland	63,434	4,096	6.5%	31,355	30,404	0.014209933	*	\$529,187	\$556,971	(\$27,784)	-4.99%
20 CareerSource Research Coast	219,751	14,276	6.5%	53,715	50,143	0.025903056	*	\$964,646	\$1,085,046	(\$120,400)	-11.10%
21 CareerSource Palm Beach County	601,216	38,835	6.5%	114,350	105,297	0.058298474		\$2,171,072	\$2,299,884	(\$128,812)	-5.60%
22 CareerSource Broward	1,018,767	67,114	6.6%	152,310	139,575	0.089514151		\$3,333,563	\$3,238,333	\$95,230	2.94%
23 CareerSource South Florida	1,351,214	117,684	8.7%	318,205	301,316	0.193409131		\$7,202,678	\$6,872,573	\$330,105	4.80%
24 CareerSource Southwest Florida	459,594	29,731	6.5%	112,795	105,022	0.052210548	*	\$1,944,353	\$2,117,485	(\$173,132)	-8.18%
STATEWIDE TOTALS	8,336,548	581,159	7.0%	1,894,960	1,767,633	1.000000000		\$37,240,624	\$38,463,078	(\$1,222,454)	-3.18%

**Program Year 2022 Workforce Innovation and Opportunity Act
Youth Program Local Workforce Development Board Formula Allocations**

LOCAL WORKFORCE DEVELOPMENT BOARDS	AREA OF SUBSTANTIAL UNEMPLOYMENT			ECONOMICALLY DISADVANTAGED		LWDB SHARE	HH *	PY 2022 FINAL ALLOCATION	PY 2021 FINAL ALLOCATION	DIFFERENCE	%
	LABOR FORCE	Unemployed		Total	Excess						
		Total	Rate								
1 CareerSource Escarosa	140,761	9,091	6.5%	9,625	6,725	0.023878270	*	\$870,776	\$929,041	(\$58,265)	-6.27%
2 CareerSource Okaloosa Walton	39,492	2,568	6.5%	3,155	1,520	0.006173289		\$225,123	\$251,235	(\$26,112)	-10.39%
3 CareerSource Chipola	18,676	1,222	6.5%	2,530	2,007	0.006622152	*	\$241,492	\$268,041	(\$26,549)	-9.90%
4 CareerSource Gulf Coast	41,630	2,688	6.5%	2,665	1,481	0.010506920	*	\$383,159	\$378,374	\$4,785	1.26%
5 CareerSource Capital Region	129,044	8,339	6.5%	16,765	14,428	0.041149091	*	\$1,500,596	\$1,584,645	(\$84,049)	-5.30%
6 CareerSource North Florida	34,756	2,261	6.5%	3,205	2,624	0.007569426		\$276,036	\$286,470	(\$10,434)	-3.64%
7 CareerSource Florida Crown	16,478	1,065	6.5%	3,795	3,194	0.008205947	*	\$299,249	\$310,717	(\$11,468)	-3.69%
8 CareerSource Northeast Florida	488,686	31,602	6.5%	23,895	13,646	0.064774548	*	\$2,362,153	\$2,464,969	(\$102,816)	-4.17%
9 CareerSource North Central Florida	72,284	4,703	6.5%	12,630	10,772	0.029195821	*	\$1,064,693	\$1,123,076	(\$58,383)	-5.20%
10 CareerSource Citrus Levy Marion	182,724	11,788	6.5%	9,135	6,567	0.031552220	*	\$1,150,624	\$1,222,997	(\$72,373)	-5.92%
11 CareerSource Flagler Volusia	248,288	16,025	6.5%	9,540	5,810	0.026248806		\$957,223	\$1,030,642	(\$73,419)	-7.12%
12 CareerSource Central Florida	1,311,635	94,538	7.2%	41,870	25,473	0.139888172		\$5,101,343	\$5,318,585	(\$217,242)	-4.08%
13 CareerSource Brevard	182,718	11,792	6.5%	6,955	3,380	0.017987586		\$655,959	\$699,285	(\$43,326)	-6.20%
14 CareerSource Pinellas	330,508	21,354	6.5%	10,995	4,864	0.029699722		\$1,083,069	\$1,187,924	(\$104,855)	-8.83%
15 CareerSource Tampa Bay	590,682	38,116	6.5%	24,470	14,896	0.071493865	*	\$2,607,188	\$2,704,652	(\$97,464)	-3.60%
16 CareerSource Pasco Hernando	246,007	15,869	6.5%	8,835	4,907	0.025207920	*	\$919,265	\$1,004,962	(\$85,697)	-8.53%
17 CareerSource Polk	320,216	21,688	6.8%	11,275	7,273	0.039367704	*	\$1,435,634	\$1,528,095	(\$92,461)	-6.05%
18 CareerSource Suncoast	227,987	14,714	6.5%	7,835	3,254	0.020489649		\$747,202	\$845,754	(\$98,552)	-11.65%
19 CareerSource Heartland	63,434	4,096	6.5%	5,350	4,399	0.015524528	*	\$566,138	\$593,436	(\$27,298)	-4.60%
20 CareerSource Research Coast	219,751	14,276	6.5%	7,875	4,303	0.023504165	*	\$857,133	\$964,333	(\$107,200)	-11.12%
21 CareerSource Palm Beach County	601,216	38,835	6.5%	19,235	10,182	0.055401847		\$2,020,355	\$2,147,432	(\$127,077)	-5.92%
22 CareerSource Broward	1,018,767	67,114	6.6%	23,310	10,575	0.079909533		\$2,914,085	\$2,824,273	\$89,812	3.18%
23 CareerSource South Florida	1,351,214	117,684	8.7%	45,510	28,621	0.178944100		\$6,525,605	\$6,089,898	\$435,707	7.15%
24 CareerSource Southwest Florida	459,594	29,731	6.5%	17,310	9,537	0.046704719		\$1,703,195	\$1,901,698	(\$198,503)	-10.44%
STATEWIDE TOTALS	8,336,548	581,159	7.0%	327,765	200,438	1.000000000		\$36,467,295	\$37,660,534	(\$1,193,239)	-3.17%

**Program Year 2022 Workforce Innovation and Opportunity Act
Dislocated Worker Program Local Workforce Development Board
Formula Allocations**

LOCAL WORKFORCE DEVELOPMENT BOARDS	20%	25%	25%	30%	LWDB SHARE	HH *	PY 2022	PY 2021	DIFFERENCE	%
	UC CLAIMANTS	UC CONCENTRATION	MASS LAYOFF	LONG-TERM UNEMPLOYED			FINAL ALLOCATION	FINAL ALLOCATION		
1 CareerSource Escarosa	1,483	9,551	13,363	219	0.019495377		\$546,454	\$557,229	(\$10,775)	-1.93%
2 CareerSource Okaloosa Walton	613	4,510	5,597	83	0.008150780		\$228,466	\$227,416	\$1,050	0.46%
3 CareerSource Chipola	318	1,826	3,223	40	0.003965210		\$111,145	\$133,460	(\$22,315)	-16.72%
4 CareerSource Gulf Coast	650	3,702	6,553	83	0.013274438	*	\$372,082	\$477,720	(\$105,638)	-22.11%
5 CareerSource Capital Region	1,359	7,991	11,939	170	0.016437608		\$460,745	\$444,948	\$15,797	3.55%
6 CareerSource North Florida	395	2,158	3,249	48	0.004578274		\$128,329	\$130,435	(\$2,106)	-1.61%
7 CareerSource Florida Crown	331	2,021	3,047	40	0.004044362		\$113,363	\$116,558	(\$3,195)	-2.74%
8 CareerSource Northeast Florida	6,077	33,629	56,750	720	0.072236206		\$2,024,776	\$2,285,974	(\$261,198)	-11.43%
9 CareerSource North Central Florida	804	5,590	18,629	102	0.013870136		\$388,779	\$610,333	(\$221,554)	-36.30%
10 CareerSource Citrus Levy Marion	1,750	10,424	15,179	210	0.020906456		\$586,007	\$636,354	(\$50,347)	-7.91%
11 CareerSource Flagler Volusia	2,370	14,032	22,022	285	0.028748549		\$805,820	\$876,948	(\$71,128)	-8.11%
12 CareerSource Central Florida	11,439	69,232	104,438	1,444	0.141039038		\$3,953,315	\$4,986,481	(\$1,033,166)	-20.72%
13 CareerSource Brevard	1,949	11,702	17,060	224	0.023082588		\$647,003	\$715,063	(\$68,060)	-9.52%
14 CareerSource Pinellas	3,193	19,465	29,719	401	0.039558790		\$1,108,830	\$1,224,651	(\$115,821)	-9.46%
15 CareerSource Tampa Bay	5,946	32,698	55,587	728	0.071301062		\$1,998,564	\$2,030,828	(\$32,264)	-1.59%
16 CareerSource Pasco Hernando	2,373	14,608	21,850	285	0.029005881		\$813,033	\$914,508	(\$101,475)	-11.10%
17 CareerSource Polk	3,146	17,585	28,063	389	0.037566010		\$1,052,973	\$984,787	\$68,186	6.92%
18 CareerSource Suncoast	1,991	14,540	20,233	243	0.026259423		\$736,050	\$788,194	(\$52,144)	-6.62%
19 CareerSource Heartland	637	3,763	5,004	79	0.007937745	*	\$222,494	\$253,685	(\$31,191)	-12.30%
20 CareerSource Research Coast	2,237	13,054	23,307	261	0.028396787	*	\$795,960	\$919,374	(\$123,414)	-13.42%
21 CareerSource Palm Beach County	5,365	31,669	45,241	627	0.064135246	*	\$1,797,707	\$2,073,398	(\$275,691)	-13.30%
22 CareerSource Broward	9,639	50,390	93,251	1,119	0.113342435		\$3,176,981	\$3,257,871	(\$80,890)	-2.48%
23 CareerSource South Florida	13,633	69,709	148,702	1,595	0.165156541		\$4,629,324	\$4,644,623	(\$15,299)	-0.33%
24 CareerSource Southwest Florida	3,874	25,869	34,924	443	0.047511058		\$1,331,732	\$1,483,599	(\$151,867)	-10.24%
STATEWIDE TOTALS	81,572	469,718	786,930	9,838	1.000000000		\$28,029,932	\$30,774,437	(\$2,744,505)	-8.92%

**Program Year 2022 Workforce Innovation and Opportunity Act
Supplemental Dislocated Worker Program Local Workforce Development Board
Formula Allocations**

LOCAL WORKFORCE DEVELOPMENT BOARDS	20%	25%	25%	30%	LWDB SHARE	PY 2022	PY2022	TOTAL
	UC CLAIMANTS	UC CONCENTRATION	MASS LAYOFF	LONG-TERM UNEMPLOYED		FINAL ALLOCATION DLW	FINAL ALLOCATION SUPPLEMENTAL DLW	
1 CareerSource Escarosa	1,483	9,551	13,363	219	0.019495377	\$546,454	\$169,203	\$715,657
2 CareerSource Okaloosa Walton	613	4,510	5,597	83	0.008150780	\$228,466	\$70,742	\$299,208
3 CareerSource Chipola	318	1,826	3,223	40	0.003965210	\$111,145	\$34,415	\$145,560
4 CareerSource Gulf Coast	650	3,702	6,553	83	0.013274438	\$372,082	\$115,211	\$487,293
5 CareerSource Capital Region	1,359	7,991	11,939	170	0.016437608	\$460,745	\$142,664	\$603,409
6 CareerSource North Florida	395	2,158	3,249	48	0.004578274	\$128,329	\$39,735	\$168,064
7 CareerSource Florida Crown	331	2,021	3,047	40	0.004044362	\$113,363	\$35,102	\$148,465
8 CareerSource Northeast Florida	6,077	33,629	56,750	720	0.072236206	\$2,024,776	\$626,948	\$2,651,724
9 CareerSource North Central Florida	804	5,590	18,629	102	0.013870136	\$388,779	\$120,381	\$509,160
10 CareerSource Citrus Levy Marion	1,750	10,424	15,179	210	0.020906456	\$586,007	\$181,450	\$767,457
11 CareerSource Flagler Volusia	2,370	14,032	22,022	285	0.028748549	\$805,820	\$249,513	\$1,055,333
12 CareerSource Central Florida	11,439	69,232	104,438	1,444	0.141039038	\$3,953,315	\$1,224,097	\$5,177,412
13 CareerSource Brevard	1,949	11,702	17,060	224	0.023082588	\$647,003	\$200,337	\$847,340
14 CareerSource Pinellas	3,193	19,465	29,719	401	0.039558790	\$1,108,830	\$343,336	\$1,452,166
15 CareerSource Tampa Bay	5,946	32,698	55,587	728	0.071301062	\$1,998,564	\$618,832	\$2,617,396
16 CareerSource Pasco Hernando	2,373	14,608	21,850	285	0.029005881	\$813,033	\$251,746	\$1,064,779
17 CareerSource Polk	3,146	17,585	28,063	389	0.037566010	\$1,052,973	\$326,041	\$1,379,014
18 CareerSource Suncoast	1,991	14,540	20,233	243	0.026259423	\$736,050	\$227,909	\$963,959
19 CareerSource Heartland	637	3,763	5,004	79	0.007937745	\$222,494	\$68,893	\$291,387
20 CareerSource Research Coast	2,237	13,054	23,307	261	0.028396787	\$795,960	\$246,460	\$1,042,420
21 CareerSource Palm Beach County	5,365	31,669	45,241	627	0.064135246	\$1,797,707	\$556,639	\$2,354,346
22 CareerSource Broward	9,639	50,390	93,251	1,119	0.113342435	\$3,176,981	\$983,715	\$4,160,696
23 CareerSource South Florida	13,633	69,709	148,702	1,595	0.165156541	\$4,629,324	\$1,433,417	\$6,062,741
24 CareerSource Southwest Florida	3,874	25,869	34,924	443	0.047511058	\$1,331,732	\$412,355	\$1,744,087
STATEWIDE TOTALS	81,572	469,718	786,930	9,838	1.000000000	\$28,029,932	\$8,679,141	\$36,709,073

Action Item 1, Continued

TEMPORARY ASSISTANCE FOR NEEDY FAMILIES (TANF)

* * * * *

STATE APPROPRIATIONS, FISCAL YEAR 2022/23 – \$58,294,377 (Prior Year 2021/22 – \$58,300,723; decrease of \$6,346 or .01%)

BASIC PURPOSE AND ELIGIBILITY: TANF serves low-income families with children, including two-parent families. The TANF program strongly emphasizes a “Work First” philosophy that combines added assistance in obtaining needed training, starting work and receiving childcare; transportation and transitional supports to retain employment, advance and become self-sufficient; and time limits and sanctions as needed.

SPECIFIC MANDATES/LIMITATIONS: Eligibility limits for receiving Temporary Cash Assistance (TCA) benefits include having a gross income equal to or less than 185% of the federal poverty level and limited assets. Services/programs that assist families in avoiding welfare dependency by gaining and retaining employment are available in the form of one-time payments, job placement assistance and transitional work support services, and can be more broadly extended to “needy families” (set at 200% of the poverty level in Florida). Also, there are other diversion programs designed to reduce and/or prevent welfare dependency, such as teen pregnancy prevention programs, programs that enable the formation and maintenance of two-parent families, and post-employment career advancement and job retention programs. Florida is required to provide matching state general revenue funds to satisfy the federal “maintenance of effort.” TANF funds may not be used for medical expenses, undocumented immigrants or convicted felons. TANF funds which are unspent at the local level within specified time limits, are restricted to “benefits only” and can no longer be used for other purposes including workforce and support services.

DISTRIBUTION MECHANISMS: TANF funds are provided to the state by federal block grants with some special supplements provided to Florida and other states. There are no federally established formulas for sub-state distribution of TANF funds, noting that TANF administration in most states is state or county-based, with no decentralized governance/delivery structures similar to Florida’s local workforce development boards. The Florida Legislature defines and approves the yearly appropriation of TANF funds to DEO and the CareerSource Florida Board to address both state and local needs which are further administered, allocated and directed by the state board.

Since the state workforce board’s inception in July 2000, the CareerSource Florida Board has transitioned the historical TANF (Welfare Transition) allocation formula (based only on the cash assistance caseload) to a 50/50 allocation formula – 50% of the available funds are allocated to local workforce development boards based upon their share of the number of children within households receiving food stamps, and the remaining 50% based upon cash assistance caseload or TANF households with an adult member. The data on numbers of children receiving food stamps and the

cash assistance caseload are available from the Department of Children and Families.

In calculating the 2022/23 distributions, the board applied a 90% “hold harmless” provision to ensure that no local board would face an inordinate shift or reduction of funds from the prior fiscal year due to shifts in data used in the funding methodology. This is the same hold harmless provision required under the WIOA Adult, Youth and Dislocated Worker programs, which calculates a two-year average percentage for each local board and assures they will not receive less than 90% of that average.

SPECIFIC FUND DISTRIBUTIONS FOR FY 2022/23: A total of **\$58,294,377** in TANF funds was appropriated by the 2022 Legislature. This amount includes **\$4,363,470** for program and administrative support provided by the Department of Economic Opportunity and the CareerSource Florida Board. This funding also includes a specific appropriation of \$877,920 for the Non-Custodial Parent Employment Program for Pinellas, Pasco, Hernando, and Hillsborough counties, and \$538,080 for Miami-Dade County to be administered by CareerSource Pasco Hernando. After deducting program and administrative support, and the **\$1,416,000** for the Non-Custodial Parent Employment Program, the remaining amount available for local allocations is **\$52,514,907**, which is level funded with the prior year.

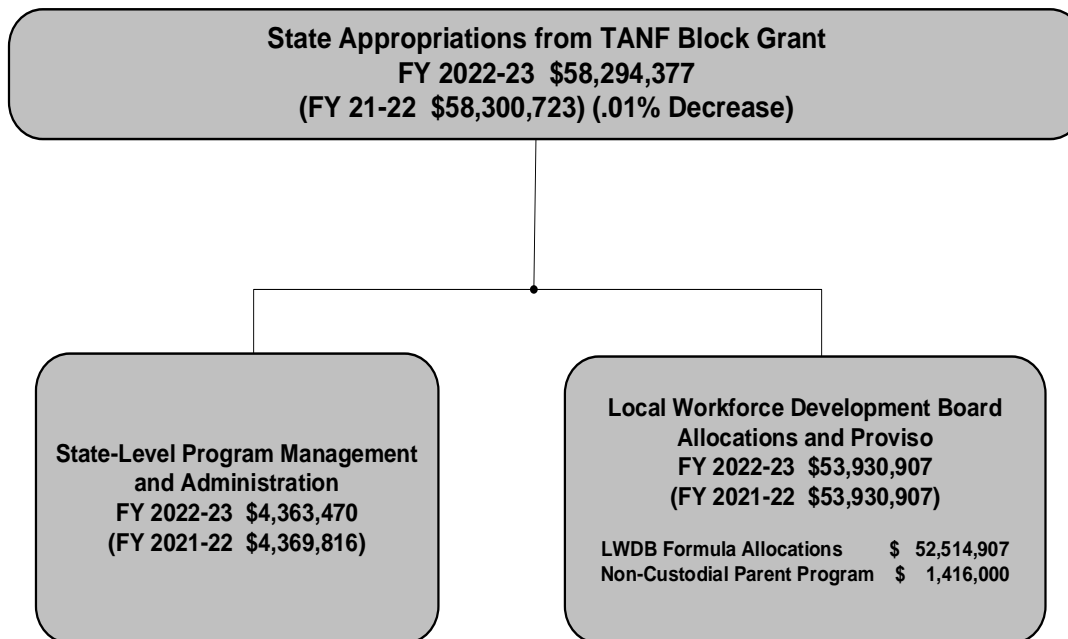
	<u>FY 2022/23</u>
DEO and CSF Administration	\$ 4,363,470
Non-Custodial Parent Program	1,416,000
Local Allocations	<u>52,514,907</u>
Total	\$58,294,377

Using these amounts and assuming no additional changes in the allocation methodology, the total amounts by local board are reflected on the attached chart titled “***Program Year 2022 Temporary Assistance for Needy Families Local Workforce Development Board Formula Allocations.***”

FOR CONSIDERATION

Approval of the allocation methodology as proposed for the distribution of TANF funding for Fiscal Year 2022/23.

FLORIDA FUNDING FOR Temporary Assistance for Needy Families (TANF)



**Program Year 2022 Welfare Transition Program
Local Workforce Development Board Formula Allocations**

LOCAL WORKFORCE DEVELOPMENT BOARDS	50%		HH * LWDB SHARE	FY 2022/23	FY 2021/22	DIFFERENCE	%
	50% SNAP	WELFARE CASELOAD		FINAL ALLOCATION	FINAL ALLOCATION		
1 CareerSource Escarosa	168,920	4,364	0.026146591	\$1,373,086	\$1,318,150	\$54,936	4.17%
2 CareerSource Okaloosa Walton	67,175	1,371	0.009137986	\$479,880	\$475,048	\$4,832	1.02%
3 CareerSource Chipola	49,143	1,173	0.007272779	\$381,929	\$330,279	\$51,650	15.64%
4 CareerSource Gulf Coast	70,542	1,436	0.009583154	\$503,258	\$472,470	\$30,788	6.52%
5 CareerSource Capital Region	128,179	3,120	0.019178555	\$1,007,160	\$965,300	\$41,860	4.34%
6 CareerSource North Florida	54,224	1,226	0.007788700	\$409,023	\$362,023	\$47,000	12.98%
7 CareerSource Florida Crown	55,045	1,558	0.011321952	* \$594,571	\$535,831	\$58,740	10.96%
8 CareerSource Northeast Florida	584,046	14,693	0.089034906	\$4,675,660	\$4,613,554	\$62,106	1.35%
9 CareerSource North Central Florida	94,210	2,573	0.015063347	\$791,050	\$681,948	\$109,102	16.00%
10 CareerSource Citrus Levy Marion	209,104	5,750	0.033569019	\$1,762,874	\$1,676,326	\$86,548	5.16%
11 CareerSource Flagler Volusia	218,659	5,716	0.034077163	\$1,789,559	\$1,794,221	(\$4,662)	-0.26%
12 CareerSource Central Florida	1,022,916	20,634	0.138309589	\$7,263,315	\$7,105,664	\$157,651	2.22%
13 CareerSource Brevard	162,063	3,869	0.023986471	\$1,259,647	\$1,196,502	\$63,145	5.28%
14 CareerSource Pinellas	235,960	6,712	0.038653027	\$2,029,860	\$2,153,714	(\$123,854)	-5.75%
15 CareerSource Tampa Bay	583,989	12,995	0.083161533	\$4,367,220	\$4,380,492	(\$13,272)	-0.30%
16 CareerSource Pasco Hernando	235,635	6,257	0.037058904	\$1,946,145	\$2,018,644	(\$72,499)	-3.59%
17 CareerSource Polk	362,812	7,431	0.049444921	\$2,596,595	\$2,453,170	\$143,425	5.85%
18 CareerSource Suncoast	171,359	4,025	0.025134447	\$1,319,933	\$1,336,764	(\$16,831)	-1.26%
19 CareerSource Heartland	92,851	1,895	0.015681668	* \$823,521	\$811,115	\$12,406	1.53%
20 CareerSource Research Coast	192,684	2,656	0.021798485	\$1,144,745	\$1,063,369	\$81,376	7.65%
21 CareerSource Palm Beach County	455,178	5,063	0.047307489	\$2,484,348	\$2,485,608	(\$1,260)	-0.05%
22 CareerSource Broward	682,263	9,464	0.077390712	\$4,064,166	\$4,103,360	(\$39,194)	-0.96%
23 CareerSource South Florida	1,327,368	13,408	0.133266744	\$6,998,494	\$7,802,614	(\$804,120)	-10.31%
24 CareerSource Southwest Florida	370,320	6,475	0.046631858	\$2,448,868	\$2,378,741	\$70,127	2.95%
STATEWIDE TOTALS	7,594,645	143,864	1.000000000	\$52,514,907	\$52,514,907	\$0	0.00%

*Indicates 90% Hold Harmless in Effect

Action Item 1, Continued

WAGNER-PEYSER (WP)

* * * * *

FEDERAL AWARD FY 2022/23 FOR WAGNER-PEYSER – \$38,879,016 (Prior Year 2021/22 \$38,157,663; increase of \$721,353 or 1.89%)

Statutory Reference: Wagner-Peyser Act of 1933, 48 Stat.113 as amended; Workforce Investment Act of 1998; Workforce Innovation and Opportunity Act of 2014.

Grantor Agency: USDOL

Grant Program Objectives: To place persons in employment by providing a variety of placement-related services without charge to job seekers and to employers seeking qualified individuals to fill job openings.

Description of the Grant Program:

The Wagner-Peyser Act of 1933 established a nationwide system of public employment offices known as the Employment Service. The Wagner-Peyser Act was amended by the Workforce Investment Act of 1998 and the Workforce Innovation and Opportunity Act of 2014, making the Employment Service part of the one-stop delivery system. Employment services are an integral part of the one-stop delivery system that provides an integrated array of high-quality services so that workers, job seekers and businesses can find the services they need under one roof in easy-to-reach locations. Employment services are services related to a labor exchange system including job search assistance, referral and placement assistance to job seekers, reemployment services to unemployment insurance claimants and recruitment services to employers with job openings. Services may be delivered through self-service, facilitated self-help services and staff-assisted services. Core services, such as assessments of skill levels, abilities and aptitudes; career guidance when appropriate; job search workshops; and referral to training as appropriate may also be available. The services offered to employers, in addition to referral of job seekers to job openings, include matching job requirements with job seeker experience, skills and other attributes; helping with special recruitment needs; helping employers analyze hard-to-fill job orders; assisting with job restructuring; and helping employers address layoffs.

Description of Process Used to Allocate Available Grant Funds:

Wagner-Peyser 7(a) Funds – As shown on the *Florida Funding for Wagner-Peyser* chart, less than 10% of the 7(a) grant funds (\$2,818,672) are reserved for state-level program operations and administration. More than 90% (\$32,172,442) of these funds are available to support one-stop program services at the local level.

The allocation of Wagner-Peyser funding to local boards is based on the federal formula used to distribute grant funds among the states. The formula is:

- 2/3 based on the relative share of the state’s civilian labor force (based on an annualized average)
- 1/3 based on the relative share of the state’s number of unemployed individuals (based on an annualized average)

Total PY 2022 WP 7(a)	\$34,991,114
LWDB Salaries and Pass-Through	(27,676,851)
Labor Exchange System	(4,128,705)
LWDB Insurance and HR Fees	(366,886)
Remaining for State-Level Administration	\$2,818,672

Wagner-Peyser 7(b) Funds – Section 7(b) of the Wagner-Peyser Act reserves 10% (or \$3,887,902) of the available grant funds allocated to Florida (\$38,879,016) for use by the Governor for state-level activities including outreach, special projects, and performance incentives. The remaining grant funds are available for additional eligible activities.

Total PY 2022 WP 7(b)	\$3,887,902
Plus Est. Bal. of Unreserved W-P 7(b) Funds	168,958
Total WP 7(b) Funds Available	\$4,056,860

The following recommendations are presented to the board for the establishment of commitments for 2022/23.

Statewide Outreach (\$1,500,000)

Spurred by Governor DeSantis’ bold priorities for economic recovery and growth, Florida’s economic rebound continues. In April 2021, the unemployment rate was 4.8 percent, remaining below the national average of 6.1 percent. Florida’s unemployment rate has remained below the national rate for nine consecutive months and decreased by 9.2 percentage points over the year. Meanwhile, the labor force in April 2021 increased by 73,000 over the month, reaching its highest point since the beginning of the pandemic.

As the CareerSource Florida network continues its work to connect employers with qualified, skilled talent and Floridians with employment and career opportunities, outreach to workforce system customers and potential customers who would benefit from the availability of public workforce services and resources remains a key need and priority.

While economic indicators demonstrate that Florida continues to move in the right direction, we have an opportunity to further strengthen these efforts. In Florida, there are currently more than 460,000 job opportunities available and businesses struggling to find qualified workers. Additionally, there are 487,000 unemployed Floridians who are looking for work.

Florida, as the nation’s third-largest state and with a diverse citizenry, must continue to ensure there is clear and consistent public information statewide about workforce priorities and programs, which requires a customer-focused investment that traditionally has been a core component of the state workforce development board’s annual financial allocations.

The comprehensive REACH Act, underscores the need for the development and execution of a new-year strategic and collaborative public outreach plan. Through a series of significant system changes, the REACH Act requires, among other things:

- Further alignment and support across the broader workforce development system to help more Floridians achieve self-sufficiency.
- Creation of a “no-wrong-door” approach to providing access to workforce development system services.
- Creation of an online opportunity portal to provide Floridians with access to available federal, state and local services and evaluative tools to determine employability and long-term self-sufficiency as well as broader access to education and training options, real-time labor market information, career planning and career services tools, along with other support for workforce training linked to middle- and high-wage, in-demand jobs.
- The continued work of the Credentials Review Committee to identify degree and non-degree credentials of value, develop a Master Credentials List for performance funding, and establish policy direction for funding that prioritizes outcomes and leverages resources to support vulnerable populations.

These funds would support CareerSource Florida-led collaborative, integrated communications planning and tactics for statewide and regional outreach through public information, media relations, public service announcements, advertising outreach to job seekers and employers, social media outreach, partners engagement and other strategies. The priority for public outreach would be to advance the customer-centered goals of the REACH Act and effective implementation of the new WIOA Governor’s Reserve Funds Plan.

Military Family Employment Advocacy Program (\$971,782)

The Military Family Employment Advocacy Program (MFEAP) was established by Section 445.055, F.S., to provide employment advocates and services at Florida career centers with high military populations associated with military bases. Persons eligible for assistance through this program include spouses and dependents of active-duty military personnel, Florida National Guard members and military reservists located in Florida. CareerSource Florida has allocated Wagner-Peyser 7(b) funds to local boards 1, 2, 4, 8, 13, 15 and 23 since state Fiscal Year 2008/09 to keep this successful program operational. There are approximately 37,000 military spouses who currently reside in Florida, and 60% of them live in these local areas. The current funding helps facilitate the work of 10 MFEAP advocates currently assigned to career centers in Pensacola, Fort Walton Beach, Panama City, Jacksonville, Cocoa, Tampa Bay and Miami-Dade. The MFEAP advocates’ sole focus is to assist active-duty military spouses and dependents in obtaining and retaining gainful employment. Many of the advocates are co-located at family support centers within military bases.

Apprenticeship Navigators in Local Workforce Development Boards (\$1,500,000)

Dedicated local workforce development board team members will seek to expand access to registered apprenticeships to individuals who represent the state’s priority commitments, amplifying the DOE work through Apprenticeship Training Representatives.

Wagner-Peyser 7(b) Funding Summary

In the event the foregoing reserves and commitments are approved by the state board, an estimated balance of **\$85,078** will remain available for additional projects or as a carry forward into the next fiscal year. Please note this amount is an estimate because certain current year

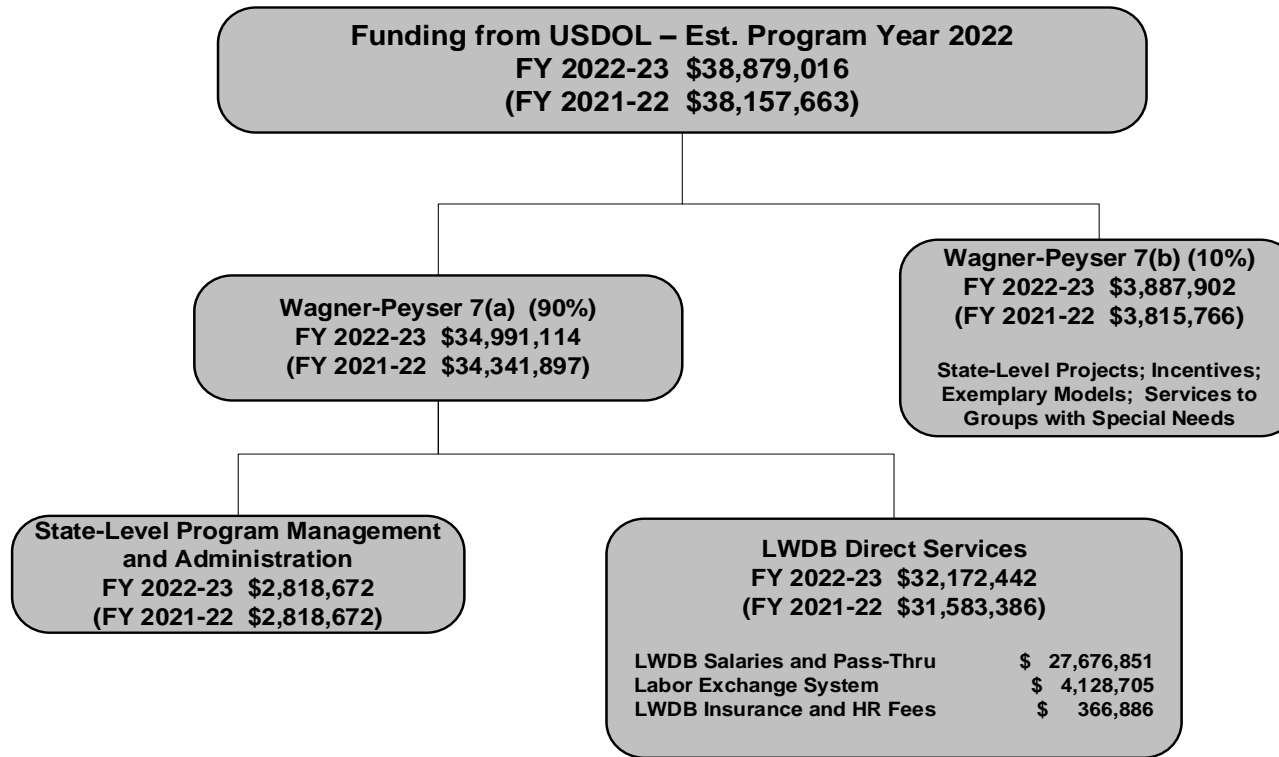
funds may not be available for carry-forward purposes or allocated funds may not be expended at the level expected during the fiscal year.

Total 2022/23 WP 7(b) Funds Available	\$4,056,860
Less Proposed Discretionary Board Allocations:	
Statewide Outreach	(1,500,000)
Military Family Employment Advocacy Program	(971,782)
Apprenticeship Navigators	(1,500,000)
Balance Remaining	\$85,078

FOR CONSIDERATION

Approval of the Program Year 2022/23 Wagner Peyser 7(b) projects.

FLORIDA FUNDING FOR WAGNER-PEYSER



**Program Year 2022 Wagner-Peyser Act
Local Workforce Development Board Formula Allocations**

LOCAL WORKFORCE DEVELOPMENT BOARDS	2/3	1/3	LWDB SHARE	PY 2022	PY 2021	DIFFERENCE	%
	CIVILIAN LABOR FORCE	UNEMPLOYED INDIVIDUALS		FINAL ALLOCATION	FINAL ALLOCATION		
1 CareerSource Escarosa	230,913	9,551	0.021705129	\$600,730	\$578,269	\$22,461	3.88%
2 CareerSource Okaloosa Walton	133,209	4,510	0.011811759	\$326,912	\$315,486	\$11,426	3.62%
3 CareerSource Chipola	41,092	1,826	0.003952193	\$109,384	\$103,054	\$6,330	6.14%
4 CareerSource Gulf Coast	95,926	3,702	0.008828217	\$244,337	\$244,679	(\$342)	-0.14%
5 CareerSource Capital Region	189,043	7,991	0.017891408	\$495,178	\$457,832	\$37,346	8.16%
6 CareerSource North Florida	45,750	2,158	0.004488911	\$124,239	\$115,683	\$8,556	7.40%
7 CareerSource Florida Crown	46,902	2,021	0.004466160	\$123,609	\$116,050	\$7,559	6.51%
8 CareerSource Northeast Florida	824,150	33,629	0.077141611	\$2,135,037	\$2,031,132	\$103,905	5.12%
9 CareerSource North Central Florida	149,249	5,590	0.013615077	\$376,822	\$356,084	\$20,738	5.82%
10 CareerSource Citrus Levy Marion	206,184	10,424	0.020726051	\$573,632	\$537,813	\$35,819	6.66%
11 CareerSource Flagler Volusia	303,402	14,032	0.029571082	\$818,434	\$791,695	\$26,739	3.38%
12 CareerSource Central Florida	1,365,501	69,232	0.137402603	\$3,802,872	\$3,905,867	(\$102,995)	-2.64%
13 CareerSource Brevard	289,653	11,702	0.027028807	\$748,072	\$722,451	\$25,621	3.55%
14 CareerSource Pinellas	486,173	19,465	0.045241765	\$1,252,150	\$1,259,815	(\$7,665)	-0.61%
15 CareerSource Tampa Bay	769,097	32,698	0.072922045	\$2,018,253	\$1,977,327	\$40,926	2.07%
16 CareerSource Pasco Hernando	319,826	14,608	0.031041562	\$859,133	\$823,617	\$35,516	4.31%
17 CareerSource Polk	328,590	17,585	0.033720724	\$933,283	\$893,915	\$39,368	4.40%
18 CareerSource Suncoast	373,938	14,540	0.034491361	\$954,612	\$934,374	\$20,238	2.17%
19 CareerSource Heartland	75,991	3,763	0.007582813	\$209,868	\$199,291	\$10,577	5.31%
20 CareerSource Research Coast	288,977	13,054	0.027944548	\$773,417	\$743,943	\$29,474	3.96%
21 CareerSource Palm Beach County	734,055	31,669	0.069926540	\$1,935,346	\$1,906,506	\$28,840	1.51%
22 CareerSource Broward	1,029,454	50,390	0.102307799	\$2,831,558	\$2,839,558	(\$8,000)	-0.28%
23 CareerSource South Florida	1,353,741	69,709	0.136980883	\$3,791,200	\$3,620,669	\$170,531	4.71%
24 CareerSource Southwest Florida	631,964	25,869	0.059210952	\$1,638,773	\$1,612,685	\$26,088	1.62%
STATEWIDE TOTALS	10,312,780	469,718	1.000000000	\$27,676,851	\$27,087,795	\$589,056	2.17%

Action Item 1, Continued

Consolidated Action Item 1 – Fiscal Year 2022-2023 CareerSource Florida Network Funding

FOR CONSIDERATION

1. Approval to establish the Program Year 2022 WIOA state-level projects.
2. Approval of the allocation methodology as proposed for the distribution of TANF funding for Fiscal Year 2022/23.
3. Approval of the Program Year 2022 Wagner-Peyser 7(b) state-level activities.

From: Kelly, Alex [Alex.Kelly@eog.myflorida.com]
Sent: Monday, May 23, 2022 12:38 PM
To: Ivey, Meredith [Meredith.Ivey@deo.myflorida.com]; Crofoot, Katie [Katie.Crofoot@LASPBS.STATE.FL.US]; Dennard, Michelle [mdennard@careersourceflorida.com]; Collins, Andrew [acollins@careersourceflorida.com]; Eagle, Dane [Dane.Eagle@deo.myflorida.com]; Johnston, Adrienne [Adrienne.Johnston@deo.myflorida.com]; Womack, Caroline (Tisha) B. [Caroline.Womack@deo.myflorida.com]; Moriak, Allyce [Allyce.Moriak@deo.myflorida.com]
CC: Coyle, Frances [Frances.Coyle@LASPBS.STATE.FL.US]; Pollins, Stu [Stu.Pollins@LASPBS.STATE.FL.US]; Mahon, Jason [Jason.Mahon@eog.myflorida.com]
Subject: RE: for review - draft board package for June
Attachments: 220518_DRAFT_Action Item 1_PY 2022 State and Regional Allocations AK.docx

I have some initial edits to the attached. Also adding in Frances, Stu and Jason, so they can review too.

Some high-level important points about my initial edits:

1. It needs to be spelled out that the \$9 million will be directed by decisions from the R.E.A.C.H. agencies, not the local boards. That's a must-have.
2. I've added some references to focusing on veterans' employment. Please look for additional ways to add this high-value focus.

Looking forward to seeing a next draft.

J. Alex Kelly
Deputy Chief of Staff
Executive Office of the Governor
(850) 443-8626
alex.kelly@eog.myflorida.com

From: Ivey, Meredith <Meredith.Ivey@deo.myflorida.com>
Sent: Wednesday, May 18, 2022 5:04 PM
To: Kelly, Alex <Alex.Kelly@eog.myflorida.com>; Crofoot, Katie <Katie.Crofoot@LASPBS.STATE.FL.US>; Dennard, Michelle <mdennard@careersourceflorida.com>; Collins, Andrew <acollins@careersourceflorida.com>
Cc: Eagle, Dane <Dane.Eagle@deo.myflorida.com>; Johnston, Adrienne <Adrienne.Johnston@deo.myflorida.com>; Womack, Caroline (Tisha) B. <Caroline.Womack@deo.myflorida.com>; Moriak, Allyce <Allyce.Moriak@deo.myflorida.com>
Subject: for review - draft board package for June

Team,

Following up to our discussions earlier this week, attached is the draft Board package and the attached Excel file includes an overview of the proposed funding.

Please let us know if you have any feedback, questions, or concerns.

Many thanks to Andrew for his collaboration this week!

Thank you,
Meredith Ivey
Chief of Staff

Florida Department of Economic Opportunity

Office: 850-245-7153

Email: Meredith.Ivey@deo.myflorida.com

www.FloridaJobs.org



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Approved _____
Disapproved _____

Action Item 1

FISCAL YEAR 2022-2023 CAREERSOURCE FLORIDA NETWORK FUNDING

* * * * *

Each year, Florida is notified of several federal awards and state appropriations to be received during the upcoming fiscal year. In most cases, the manner for distributing these funds among the state and 24 local workforce development boards is defined in the authorizing federal act or in the state appropriations bill; however, the specific state and local calculations are not known until updated allocation factors are applied to the funding awards. This action item defines these specific allocations in accordance with the authorizing grants, provides recommendations for the allocation of state-level funds for various state initiatives that advance the statewide strategic goals for workforce development and seeks the approval of the CareerSource Florida State Board of Directors for specific reserves, commitments and local workforce development board allocations.

This action item covers the Florida Workforce System's major funding streams: the Workforce Innovation and Opportunity Act (WIOA), Temporary Assistance for Needy Families (TANF) and Wagner-Peyser Act (WP). It serves as the financial blueprint for operationalizing the unified brand values, vision, mission, promise and pillars of the State's CareerSource Florida network:

Our Values

- Business-Driven
- Continuous Improvement
- Integrity
- Talent Focus
- Purpose-Driven

Our Vision

Florida will be the global leader for talent.

Our Mission

The Florida Workforce System connects employers with qualified, skilled talent and Floridians with employment and career development opportunities to achieve economic prosperity.

Our Promise

Florida's Workforce System promises a dedicated team of professionals who possess an understanding of your needs. Uniquely positioned, we offer assets, expertise and effective partnerships to deliver seamless and efficient services, demonstrate our value to all customers through results and drive economic priorities through talent development.

Our Pillars

- Collaborate
- Innovate
- Lead

Funding provided under WIOA must be allocated in accordance with the authorizing federal act (Public Law 113-128, as amended). This act defines specific allocation methodologies for its three principal funding streams (Adult, Youth, and Dislocated Worker) to be followed in allocating funding to local workforce development boards. It also defines allowances for funding levels for the state rapid response initiative and state-level set-aside funds (also referred to as the Governor's Reserve or as discretionary state board funding).

In the case of TANF state-appropriated funds, the Florida Legislature allocates a certain level of funding to the workforce system but does not define specific local allocations or the specific allocation methodology that the state board must use. However, the Legislature does define specific line-item appropriations or specific proviso language which would be deducted from total funding available prior to the allocation of TANF funds to local workforce development boards. This board, in determining specific local allocations, is required to maximize funds distributed directly to the local workforce development boards through these appropriations, with such distributions to be based on the anticipated client caseload and the achievement of performance standards.

Specific direction and approval is needed by the board for key workforce investment areas as follows:

1. **Workforce Innovation and Opportunity Act Funding** consisting of the Adult, Youth and Dislocated Worker funding streams with three primary allocation categories:
 - a. Local Workforce Development Board Allocations
 - b. State-Level Set-Aside or Governor's Reserve
 - c. State Rapid Response Funds
2. **Temporary Assistance for Needy Families** including:
 - a. State-Level Allocations and Initiatives
 - b. Local Workforce Development Board Allocations and Initiatives
3. **Wagner-Peyser**:
 - a. Wagner-Peyser 7A
 - b. Wagner-Peyser 7B
4. **Budget Implementing Actions**

WORKFORCE INNOVATION AND OPPORTUNITY ACT (WIOA)

FEDERAL PROGRAM YEAR 2022 for Fiscal Year 2022/23 – \$133,431,747 (Prior Year 2021/22 – \$140,847,913; decrease of \$7,416,166 or -5.27%)

BASIC PURPOSE AND ELIGIBILITY:

1. Career services and training services for adults, youth and dislocated workers through the CareerSource Florida network; and,
2. Broad, nearly universal eligibility for career services, but more restrictive eligibility for training services based on priority for individuals with low income, employment barriers and/or dislocation from employment.

SPECIFIC MANDATES/LIMITATIONS: There are multiple federal restrictions and regulations governing allocation to state and local workforce development boards, including the use of funds, reporting, etc. Further, state law mandates percentages of WIOA funds that must be used for Individual Training Accounts (ITAs) at the local level.

DISTRIBUTION MECHANISMS: Federal laws specify formulas for distributing WIOA funds among states and for sub-state allocations, primarily based upon relative shares of workforce, unemployment and poverty factors. WIOA (Public Law 113-128) provides that for Adult and Youth funding streams, 85% of the total federal award must be distributed to local workforce development boards by formula, allowing the Governor to reserve up to 15% at the state level for operational expenses, performance-based incentive payments to boards, program management and oversight, and state board-authorized initiatives. Similarly, WIOA Dislocated Worker funds also allow 15% to be transferred to the state-level “pool,” with another 25% of the total federal award allocated for purposes of funding a state-level program for rapid response assistance to dislocated workers, including emergency supplements to local workforce development boards. The remaining 60% of the federal dislocated worker funds are then distributed to the boards based on a formula that uses local economic factors.

SPECIFIC FUND DISTRIBUTIONS FOR FY 2022/23: The PY2022 funding allotments to the states, published in TEGL 9-21, are reflected in this board presentation. For specific identification of amounts to be received under the various WIOA categories by the state and local workforce development boards, refer to the flowchart titled “*Florida Funding for Workforce Innovation and Opportunity Act.*”

As shown on the following chart, a total of **\$133,431,747** will be awarded to Florida from Program Year 2022 funds for Fiscal Year 2022/23, down by **\$7,416,166** or a decrease of **5.27%** from the previous year’s grant award. From the total WIOA funds awarded, **\$20,014,759**, is allocated by the federal act to the state-level set-aside pool; the statewide Dislocated Worker Program for the Rapid Response Unit is allocated 25%, or **\$11,679,137**, of the federal dislocated worker funding, and the balance of **\$101,737,851** is allocated to the 24 local workforce development areas.

	<u>FY 2022/23</u>	<u>FY 2021/22</u>	<u>Change</u>
Total WIOA Grant Award	\$ 133,431,747	\$ 140,847,913	\$ (7,416,166)
State Set-Aside	20,014,759	21,127,183	(1,112,424)
Rapid Response	11,679,137	12,822,681	(1,143,544)
Local Allocations	101,737,851	106,898,049	(5,160,198)

LOCAL WORKFORCE DEVELOPMENT BOARD (LWDB) ALLOCATIONS

As shown on the *Florida Funding for Workforce Innovation and Opportunity Act* chart for Program Year 2022, a total of **\$101,737,851** is available through direct formula allocations to local workforce development areas from the Adult, Youth and Dislocated Worker funds. The spreadsheet titled "*Program Year 2022 Workforce Innovation and Opportunity Act, Local Workforce Development Board Formula Allocations*," shows the total allocations of WIOA funds with a comparison to the prior year, and the four sets of spreadsheets that follow it reflect the individual allocations for each of the three funding streams.

STATE SET-ASIDE ALLOCATIONS

15% State Set-Aside Allocation – As shown in the *Florida Funding for Workforce Innovation and Opportunity Act* chart, the federal act allocates a portion of each of the WIOA Adult, Youth and Dislocated Worker funding streams for use by the Governor for state-level initiatives. For Fiscal Year 2022/23, the amount currently allocated to the state is **\$20,014,759**.

After statewide administrative and program costs of the Department of Economic Opportunity (DEO) and CareerSource Florida, Inc., are deducted from the total WIOA funds available, the remaining balance is available for the Governor's discretionary projects. The State Board determines specific allotments for purposes of state demonstration and pilot projects as well as other workforce development initiatives.

Total WIOA Set-Aside Pool	<u>FY 2022/23</u> \$20,014,759
Plus Estimated Balance of Recaptured Funds (includes Est. Balance of Rapid Response 15% State Level)	9,585,070
Total WIOA Funds Available	\$29,599,829
Less Statewide Administrative and Program Services:	
DEO	(4,703,330)
CareerSource Florida	(3,064,025)
LWDB Support and Shared Services	(1,749,931)
Balance of Funds Available for State Board Discretion	\$20,082,543

Discretionary Board Allocations – As shown in the previous tabulation, the Governor has available discretionary funding in the amount of **\$20,082,543**, after combining the balance of WIOA unobligated funding brought forward from the prior year with the new year's WIOA grant award and accounting for statewide administrative and program services.

Supporting Aviation Aerospace and Defense Manufacturing through a Comprehensive Sector Strategy Approach (\$9,000,000)

Florida continues to raise the bar on talent development, especially in key industry sectors. Through Executive Order 19-31, Governor Ron DeSantis has charted a course for Florida to become number one in the nation in workforce education by 2030 as well as ensuring Florida students are prepared to fill the high-demand, high-wage jobs of today and the future.

Empowered by the vision of the Reimagine Education and Career Help (REACH) Act, this concrete and defined vision is multi-pronged and financially well-supported for long-term success and will enable our state to maintain and grow its workforce to support the Aviation Aerospace and Defense Manufacturing talent ecosystem for today, tomorrow and in the future.

Florida has long been the world's premier gateway to space, undisputed air traffic hub for the western hemisphere, and major center for flight training and maintenance/repair/overhaul operations, and home to manufacturing of aircraft and aviation/aerospace components. Florida is also a leading location for defense manufacturers and is home to 20 major military installations.

There is no doubt too that Florida has benefitted from 1.5 million veterans calling Florida home. Florida has gained the reputation as being the most veteran-friendly state in the nation in-part because of the state's commitment to workforce training and employment of its veterans.

Military veterans are often trained in the very skills that aviation, aerospace, and defense manufacturers employ, and the resources of CareerSource and other partner agencies can be efficiently leveraged to help these top professionals upskill and land high-demand, high-wage jobs at Florida-based manufacturers. What is more, Florida's ability to place a focus on training veterans for these jobs also acts as a powerful tool to encourage such manufacturers to locate and grow their companies in Florida.

In recent months, Florida's economic development and workforce education partners – CareerSource, the Florida Department of Economic Opportunity, Enterprise Florida, Space Florida and the Florida Department of Education – have also seen a noteworthy uptick in requests for a variety of workforce education supports from these industries, commonly clustered in counties stretching from Duval to St. Lucie counties, and including Orange County.

Furthermore, according to the 2022 Florida Defense Industry Economic Impact Analysis by the Florida Defense Support Task Force, Florida's defense industries supported more than \$860 jobs and experienced a 12 percent increase in direct defense spending from \$44 billion in 2018 to \$49.3 billion in 2020. And defense spending in 2020 increased to more than \$96.6 billion in value-added economic impacts, or 8.5% of the Florida economy. All this occurred while Florida's economy was rebounding, proving that job training investments in defense industries are investments in stabilizing industries.

For example, June 10, 2022, a group of the agencies' leadership are hosting a convening at Eastern Florida State College with several such manufacturing industry representatives to discuss common credentials, certifications and training needs for similarly situated manufacturers, with the goal of seeding and better aligning offerings at nearby state colleges, tech colleges, state universities, CareerSource boards and private postsecondary institutions.

Targeting the use of the Workforce Innovation and Opportunity Act (WIOA) Governor's Set Aside funds for 2022, and aligning these funds with other strategic investments, can amplify a comprehensive investment approach that will cultivate short- and long-term sustainable talent pipelines and accelerate Florida's competitiveness in this legacy sector.

A Sector Strategy Approach

Sector strategies are regional, industry-focused approaches to building a skilled workforce and are one of the most effective ways to align public and private resources to address the talent needs of employers. At the heart of sector strategies are sector partnerships among companies in these target industries and other regional partners who work together to development and implement solutions for the industry's workforce and other needs. These partnerships are led by businesses working collaboratively with workforce development, the Florida Department of Education, the Department of Economic Opportunity, Enterprise Florida, Space Florida, and other education and training, economic development, and community organizations.

CareerSource Florida's Sector Strategies Policy, approved by the Board in February 2018, lays out Florida's vision for effectiveness and requires local workforce development boards to include their approach to establishing, implementing, and sustaining effective sector strategies in their local plans. Several boards have professional team members identified as sector strategists. See more at <https://careersourceflorida.com/about-us/policies-and-initiatives/sector-strategies/>

Aligning to Market Demand

Thanks to the leadership of Governor DeSantis, Florida continues to rebound from the impacts of the global pandemic. Key trends that will drive growth for these industry sectors include recovery in air travel, leveraging innovation for building advanced military capabilities, such as improved capabilities in fighter aircraft, space resilience, shipbuilding, munitions, and cybersecurity. Innovation will also continue accelerating growth in the space market—launch industry, satellite trends and new technology space-based services. By listening to the talent needs of companies in these sectors and developing customized training solutions, we can help ensure businesses are competitive in our state.

Fully Customized Workforce Recruitment and Training Solutions

Using the WIOA Governor's Set Aside funds for 2022, local workforce development boards with military installations and sector businesses anchored in their areas will have flexibility to use the funds in a customized manner to meet business and industry's needs, including but not limited to use of the funding as follows:

Strategic Outreach in Candidate Recruitment –Enhancing access for all Floridians to good-paying jobs includes casting a wider net to reach untapped and under tapped talent pools, especially veterans transitioning from the military into private sector employment. Local workforce development boards have committed professional team members with deep experience to assist with talent recruitment. These boards can also innovatively use this funding to support new training programs, offset tuition for trainees, provide work-based learning opportunities (like registered apprenticeship), and provide wrap-around supportive services for eligible participants to ensure their job placement success and longevity.

Quick Response Training and Incumbent Worker Training – Florida's landmark employer-driven customized training programs have a long history of meeting business training needs. Quick Response Training is now in its 29th year; and Incumbent Worker Training will soon reach its silver anniversary. Created in 1993, the Quick Response Training program has served more than 900 businesses and trained nearly 195,000 workers. Created in 1999, the Incumbent Worker Training program has helped more than 2,900 businesses and trained at least 195,000 workers. Companies surveyed report that the programs have a significant impact on their businesses, citing benefits such as increased employee knowledge and productivity, process efficiency gains and reduction in employee turnover.

Additional funds from the state set aside can be used to bolster the IWT training grant program and meet employer-driven skills upgrade training needs from sector-based businesses.

Transitioning Military Personnel through the SkillBridge Program – Managed by Veterans Florida, this program can help engage transitioning military personnel with employment in the two industry sectors of focus. SkillBridge creates unprecedented opportunities for transitioning service members, builds a talent pipeline for employers, and reinforces Florida’s flag as the top destination for military families.

In addition, these funds will allow the collective partner agencies to reach beyond those whom Veterans Florida can serve with existing resources, ensuring that where there is demand for upskilling there are options for Florida’s veterans.

Pathway to Career Opportunity Grant Program – CareerSource and the partner agencies will further leverage other agencies’ set-sides, for example a \$5 million set-aside that the Florida Department of Education will dedicate to this effort from the Pathways to Career Opportunity Grant (apprenticeship) program. All apprenticeships and pre-apprenticeships begin with an employer, so facilitating this time-tested talent solution as part of the sector strategy approach and aligning to market demand, can be a win-win for the state. Such cross-agency strategies will give the collective workforce partner agencies the ability to braid funding and tackle business and industry needs through comprehensive and creative strategies that ensure business and industry are greeted with the same “no wrong door” approach as is intended for the future talent pipeline.

The Florida Talent Ecosystem Advantage includes critical pipeline pathways that train and educate the next generation of the aviation/aerospace and defense manufacturing workforce to embrace new innovations, discoveries, and technologies. As the industry evolves, we are committed to deliver those workforce skills and competencies to help businesses achieve economic competitiveness. Our talent advantage also consists of targeted talent recruitment strategies, assessment and work-based supports, to attract and develop a diverse, innovative talent pool as well as deploy customized employer-driven training solutions. Florida has the assets in place and strong track record of collaboration to enable hands-on training, learning, mentoring, and apprenticeships that equip workers with the technical skills needed to enter and advance in these industry sectors.

Demand Driven Expansion of Priority Commitments (\$2,000,000)

Through the disciplined process of validating project ideas and activities, there is a recognized need to continually evaluate new and timely project proposals that address state priorities as well as changes in Florida’s economy that demand action. As these opportunities arise, the state workforce development board must be prepared to take proactive steps to analyze and address changing conditions.

CareerSource Florida will collaborate with the Executive Office of the Governor, DEO, FDOE, and other strategic partners to monitor the demands of 2021’s programs and initiatives that have previously been assisted through WIOA state set aside dollars and that assist targeted populations. Where necessary, these funds may be used to supplement those services that are in greatest demand. In particular, the partner agencies will monitor the need to plus-up funding for 2021’s Veterans and Military Spouses program, as it was the first to launch in 2021 and likely to see the greatest need for additional funding in its second year, given partner agencies’ focus on job training for veterans.

These demand-driven and flexible funds will position Florida to best address and respond to workforce development strategies resulting from emerging needs and initiatives throughout the year.

Direct Support to Single Pregnant Women (\$500,000)

Low income, single, pregnant women seeking a pathway to prosperity may be assisted by new skill attainment through work-based learning and other training models. Helping mothers and mothers-to-be achieve successful employment positions these Floridians for lasting positive impacts on their families and communities.

Support of the business community and community partners can be better leveraged by braiding federal workforce funding to support the path to economic self-sufficiency that can start with a family-supporting job that leads to a career pathway.

This targeted initiative requires the collective expertise and services of four primary partners: the Florida Departments of Children and Families, Economic Opportunity and Education, and the CareerSource Florida network of state and local workforce development boards by establishing strategic partnerships with business and industry leaders, faith-based organizations, community care providers and education partners.

Local partners will include, but not be limited to:

- Local workforce development boards
- 211 providers
- United Way
- Goodwill
- Places of worship
- Social services departments
- Community action agencies
- Childcare providers
- County K-12 school systems
- Crisis assistance organizations

\$500,000 in dedicated WIOA funding will be distributed to local workforce development boards selected by the primary state agency partners to assist in identifying concierge coordinators to directly assist single mothers and pregnant women job seekers secure employment and training with an emphasis on work-based learning models.

To support the participants' work-based learning opportunities, partnerships with organizations providing direct and wrap-around services should be leveraged to ensure non-duplication of services and the ability to fully engage in employment opportunities, earning a wage while pregnant.

Incumbent Worker Training Grant Program (\$3,000,000)

When workers lack needed training and businesses experience skills gaps, the company's ability to compete, expand and retain workers can be compromised. Florida's Incumbent Worker Training (IWT) grant program addresses such needs. The IWT program was created to provide grant funding for continuing education and training of incumbent employees at existing Florida businesses. It has proven to be a popular resource for small businesses.

Rural Initiatives (\$2,000,000)

Florida has identified 29 Florida counties and six cities in three additional counties as Rural Areas of Opportunity. These counties and cities face extraordinary economic challenges. Historically, CareerSource Florida's Board of Directors has designated supplementary allocations for local workforce development boards identified as rural boards to support operations by Florida's smallest local workforce development boards in providing workforce services to employers and residents in

the areas they serve. Initiatives funded through this allocation will support critical workforce development needs in rural communities.

Serving Priority Commitments through Business Engagement (\$500,000)

With 24 local workforce development boards and nearly 100 career centers, the Salesforce instance provides a consistent and standardized process for tracking businesses served and helps in identifying and deepening the CareerSource Florida network’s business market penetration. With Salesforce, Florida’s workforce system now has a cross-local resource in place with a singular aim of improving services to business seamlessly and efficiently.

Support System Improvements and Reimagining Education and Career Help (REACH) Act Implementation (\$3,000,000)

\$2.5M to support modernizing the alignment of local workforce development boards to better support service excellence across the CareerSource Florida network with an emphasis on serving the state’s priority commitments. This includes transition assistance, supporting the creation of new legal entities, rebranding assistance, and organizational change management.

\$500K to support the work of the Florida Credentials Review Committee including finalizing the framework of quality in accordance with Labor Market Estimating Committee data, reviewing and prioritizing postsecondary degrees and certificates, expansion of the Florida CLIFF Dashboard tool and making the information publicly available to facilitate informed learner choice

Discretionary Funding Summary

Pending approval of the recommended reserves and commitments outlined here, an estimated balance of \$82,543 will be available to be added to the budgeted reserve or carried forward into the next fiscal year. This amount is an estimate because certain current-year funds may not be available for carry-forward purposes and allocated funds may not be expended at the level expected during the fiscal year.

Total 2022/23 WIOA Funds Available	\$20,082,543
Less Proposed Discretionary Board Projects:	
Supporting Aviation Aerospace & Defense	(9,000,000)
Demand Driven Expansion of Priority Commitments	(2,000,000)
Direct Support to Single Pregnant Women	(500,000)
Incumbent Worker Training	(3,000,000)
Rural Initiatives	(2,000,000)
Salesforce CRM Licenses	(500,000)
System Improvements and REACH Act Implementation	(3,000,000)
Balance Remaining for State Projects	\$82,543
WIOA – STATE RAPID RESPONSE FUNDS	

As noted previously, **25%, or \$11,679,137**, of the total federal WIOA Dislocated Worker funding (\$46,716,550) provided to the state for Fiscal Year 2022/23 may be reserved by federal law for the purposes of establishing and operating the state-level Rapid Response Unit and providing emergency allocations to address local dislocation events. From this amount, the board is required by Chapter 445, F.S., to maintain an emergency reserve, historically set at \$1,000,000, to fund

the operational costs of the DEO Rapid Response Unit.

The following tabulation shows the distribution of the total federal award for 2022/23:

Total Dislocated Worker Funds (22/23)	\$46,716,550
Less Local Pass-Through (60%)	(28,029,932)
Less State-Level Set Aside (15%)	<u>(7,007,482)</u>
Balance for State-Level Rapid Response Reserve (25%)	\$11,679,137

From the total Rapid Response funding available to the board from new-year funding, program management costs of **\$500,000** are being requested as well as continuation of the **\$1,000,000** emergency reserve to address major events that may occur during Fiscal Year 2022/23.

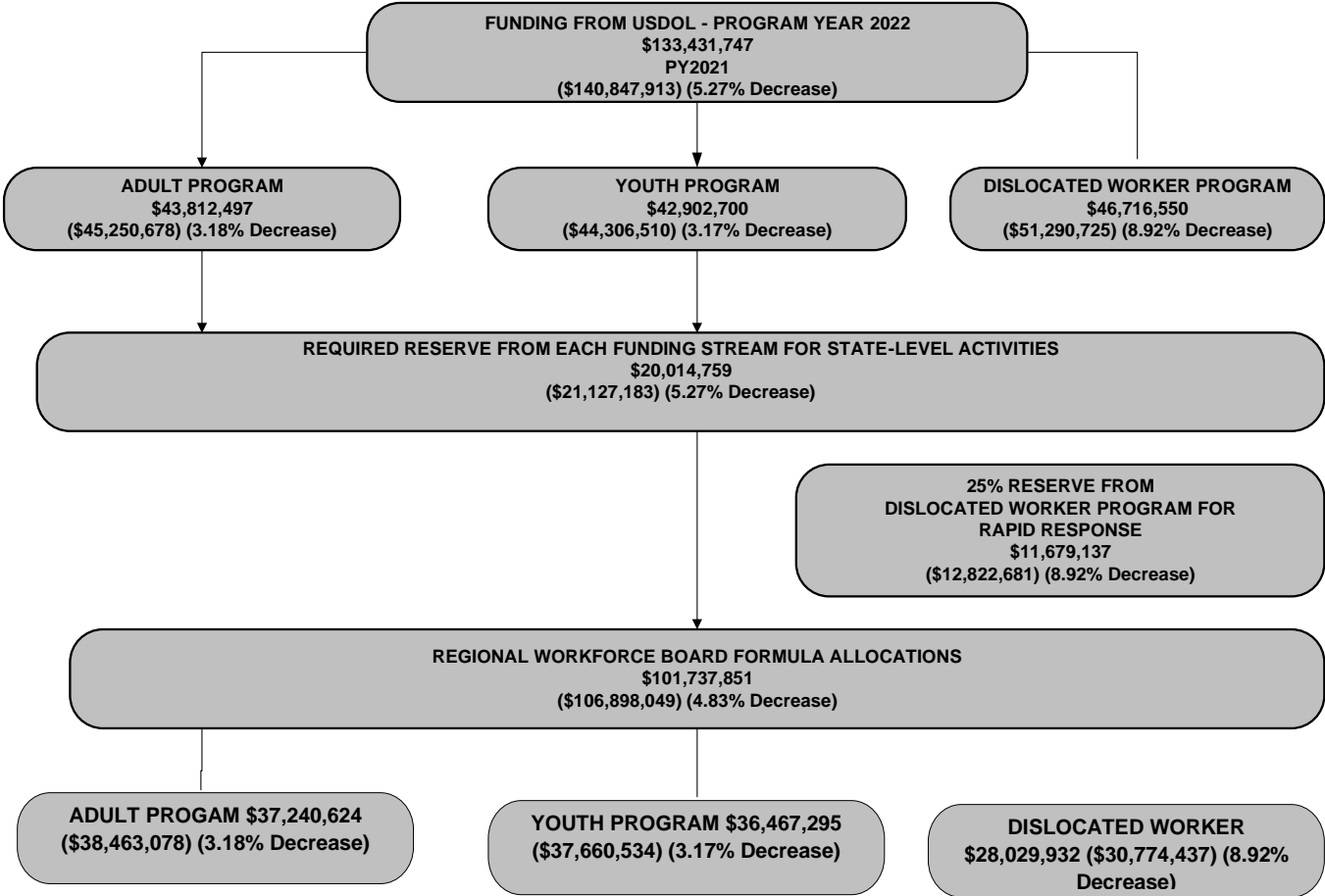
Total Rapid Response State-Level Allocation	\$11,679,137
Less: Proposed Rapid Response Program Unit Costs	(500,000)
Less: Proposed Emergency Reserve (<i>Chapter 445, F.S.</i>)	(1,000,000)
Less: Rapid Response Allocations	(1,500,000)
Less: Supplemental Dislocated Worker Allocation	<u>(8,679,137)</u>
Balance	\$0

In order to ensure that Florida implements a comprehensive, proactive rapid response system, \$1,500,000 will be distributed to the LWDBs. Supplemental Dislocated Worker funds will be distributed in the amount of \$8,679,137 back to the boards via formula allocation. The \$1,000,000 emergency reserve will allow DEO to fund supplemental requests from local workforce development boards during the upcoming fiscal year for major dislocations and plant closures as well as the needs of the unemployed and long-term unemployed.

FOR CONSIDERATION

Approval of the Program Year 2022/23 WIOA state-level discretionary board projects.

FLORIDA FUNDING FOR WORKFORCE INNOVATION & OPPORTUNITY ACT



**Program Year 2022 Workforce Innovation and Opportunity Act
Local Workforce Development Board Formula Allocations**

LOCAL WORKFORCE DEVELOPMENT BOARDS		WIOA ADULT	WIOA YOUTH	WIOA DISLOCATED WORKER	PY 2022 FINAL ALLOCATION	PY 2021 FINAL ALLOCATION	DIFFERENCE	%
1	CareerSource Escarosa	\$703,484	\$870,776	\$546,454	\$2,120,714	\$2,243,723	(\$123,009)	-5.48%
2	CareerSource Okaloosa Walton	\$284,534	\$225,123	\$228,466	\$738,123	\$785,513	(\$47,390)	-6.03%
3	CareerSource Chipola	\$290,824	\$241,492	\$111,145	\$643,461	\$708,847	(\$65,386)	-9.22%
4	CareerSource Gulf Coast	\$444,290	\$383,159	\$372,082	\$1,199,531	\$1,286,837	(\$87,306)	-6.78%
5	CareerSource Capital Region	\$784,604	\$1,500,596	\$460,745	\$2,745,945	\$2,861,795	(\$115,850)	-4.05%
6	CareerSource North Florida	\$326,215	\$276,036	\$128,329	\$730,580	\$717,207	\$13,373	1.86%
7	CareerSource Florida Crown	\$245,945	\$299,249	\$113,363	\$658,557	\$685,704	(\$27,147)	-3.96%
8	CareerSource Northeast Florida	\$2,326,818	\$2,362,153	\$2,024,776	\$6,713,747	\$7,181,765	(\$468,018)	-6.52%
9	CareerSource North Central Florida	\$524,159	\$1,064,693	\$388,779	\$1,977,631	\$2,288,815	(\$311,184)	-13.60%
10	CareerSource Citrus Levy Marion	\$1,208,208	\$1,150,624	\$586,007	\$2,944,839	\$3,137,777	(\$192,938)	-6.15%
11	CareerSource Flagler Volusia	\$1,013,389	\$957,223	\$805,820	\$2,776,432	\$2,997,558	(\$221,126)	-7.38%
12	CareerSource Central Florida	\$4,957,397	\$5,101,343	\$3,953,315	\$14,012,055	\$15,556,435	(\$1,544,380)	-9.93%
13	CareerSource Brevard	\$759,459	\$655,959	\$647,003	\$2,062,421	\$2,214,129	(\$151,708)	-6.85%
14	CareerSource Pinellas	\$1,363,109	\$1,083,069	\$1,108,830	\$3,555,008	\$3,874,150	(\$319,142)	-8.24%
15	CareerSource Tampa Bay	\$2,422,824	\$2,607,188	\$1,998,564	\$7,028,576	\$7,253,655	(\$225,079)	-3.10%
16	CareerSource Pasco Hernando	\$1,008,942	\$919,265	\$813,033	\$2,741,240	\$3,027,199	(\$285,959)	-9.45%
17	CareerSource Polk	\$1,501,921	\$1,435,634	\$1,052,973	\$3,990,528	\$4,096,637	(\$106,109)	-2.59%
18	CareerSource Suncoast	\$929,003	\$747,202	\$736,050	\$2,412,255	\$2,656,391	(\$244,136)	-9.19%
19	CareerSource Heartland	\$529,187	\$566,138	\$222,494	\$1,317,819	\$1,404,092	(\$86,273)	-6.14%
20	CareerSource Research Coast	\$964,646	\$857,133	\$795,960	\$2,617,739	\$2,968,753	(\$351,014)	-11.82%
21	CareerSource Palm Beach County	\$2,171,072	\$2,020,355	\$1,797,707	\$5,989,134	\$6,520,714	(\$531,580)	-8.15%
22	CareerSource Broward	\$3,333,563	\$2,914,085	\$3,176,981	\$9,424,629	\$9,320,477	\$104,152	1.12%
23	CareerSource South Florida	\$7,202,678	\$6,525,605	\$4,629,324	\$18,357,607	\$17,607,094	\$750,513	4.26%
24	CareerSource Southwest Florida	\$1,944,353	\$1,703,195	\$1,331,732	\$4,979,280	\$5,502,782	(\$523,502)	-9.51%
STATEWIDE TOTALS		\$37,240,624	\$36,467,295	\$28,029,932	\$101,737,851	\$106,898,049	(\$5,160,198)	-4.83%

**Program Year 2022 Workforce Innovation and Opportunity Act
Adult Program Local Workforce Development Board Formula Allocations**

LOCAL WORKFORCE DEVELOPMENT BOARDS	AREA OF SUBSTANTIAL UNEMPLOYMENT			ECONOMICALLY DISADVANTAGED		LWDB SHARE	HH *	PY2022 FINAL ALLOCATION	PY2021 FINAL ALLOCATION	DIFFERENCE	%
	LABOR FORCE	Unemployed		Total	Excess						
		Total	Rate								
1 CareerSource Escarosa	140,761	9,091	6.5%	41,790	38,890	0.018890237	*	\$703,484	\$757,453	(\$53,969)	-7.13%
2 CareerSource Okaloosa Walton	39,492	2,568	6.5%	21,615	19,980	0.007640427		\$284,534	\$306,862	(\$22,328)	-7.28%
3 CareerSource Chipola	18,676	1,222	6.5%	25,000	24,477	0.007809325		\$290,824	\$307,346	(\$16,522)	-5.38%
4 CareerSource Gulf Coast	41,630	2,688	6.5%	21,215	20,031	0.011930253	*	\$444,290	\$430,743	\$13,547	3.15%
5 CareerSource Capital Region	129,044	8,339	6.5%	40,125	37,788	0.021068496	*	\$784,604	\$832,202	(\$47,598)	-5.72%
6 CareerSource North Florida	34,756	2,261	6.5%	25,780	25,199	0.008759659		\$326,215	\$300,302	\$25,913	8.63%
7 CareerSource Florida Crown	16,478	1,065	6.5%	20,915	20,314	0.006604224	*	\$245,945	\$258,429	(\$12,484)	-4.83%
8 CareerSource Northeast Florida	488,686	31,602	6.5%	128,970	118,721	0.062480644	*	\$2,326,818	\$2,430,822	(\$104,004)	-4.28%
9 CareerSource North Central Florida	72,284	4,703	6.5%	30,035	28,177	0.014074922	*	\$524,159	\$555,406	(\$31,247)	-5.63%
10 CareerSource Citrus Levy Marion	182,724	11,788	6.5%	58,350	55,782	0.032443289	*	\$1,208,208	\$1,278,426	(\$70,218)	-5.49%
11 CareerSource Flagler Volusia	248,288	16,025	6.5%	58,470	54,740	0.027211921		\$1,013,389	\$1,089,968	(\$76,579)	-7.03%
12 CareerSource Central Florida	1,311,635	94,538	7.2%	217,270	200,873	0.133118003		\$4,957,397	\$5,251,369	(\$293,972)	-5.60%
13 CareerSource Brevard	182,718	11,792	6.5%	44,825	41,250	0.020393290		\$759,459	\$799,781	(\$40,322)	-5.04%
14 CareerSource Pinellas	330,508	21,354	6.5%	79,745	73,614	0.036602747		\$1,363,109	\$1,461,575	(\$98,466)	-6.74%
15 CareerSource Tampa Bay	590,682	38,116	6.5%	119,555	109,981	0.065058637	*	\$2,422,824	\$2,518,175	(\$95,351)	-3.79%
16 CareerSource Pasco Hernando	246,007	15,869	6.5%	58,025	54,097	0.027092520	*	\$1,008,942	\$1,107,729	(\$98,787)	-8.92%
17 CareerSource Polk	320,216	21,688	6.8%	66,330	62,328	0.040330166	*	\$1,501,921	\$1,583,755	(\$81,834)	-5.17%
18 CareerSource Suncoast	227,987	14,714	6.5%	54,215	49,634	0.024945947		\$929,003	\$1,022,443	(\$93,440)	-9.14%
19 CareerSource Heartland	63,434	4,096	6.5%	31,355	30,404	0.014209933	*	\$529,187	\$556,971	(\$27,784)	-4.99%
20 CareerSource Research Coast	219,751	14,276	6.5%	53,715	50,143	0.025903056	*	\$964,646	\$1,085,046	(\$120,400)	-11.10%
21 CareerSource Palm Beach County	601,216	38,835	6.5%	114,350	105,297	0.058298474		\$2,171,072	\$2,299,884	(\$128,812)	-5.60%
22 CareerSource Broward	1,018,767	67,114	6.6%	152,310	139,575	0.089514151		\$3,333,563	\$3,238,333	\$95,230	2.94%
23 CareerSource South Florida	1,351,214	117,684	8.7%	318,205	301,316	0.193409131		\$7,202,678	\$6,872,573	\$330,105	4.80%
24 CareerSource Southwest Florida	459,594	29,731	6.5%	112,795	105,022	0.052210548	*	\$1,944,353	\$2,117,485	(\$173,132)	-8.18%
STATEWIDE TOTALS	8,336,548	581,159	7.0%	1,894,960	1,767,633	1.000000000		\$37,240,624	\$38,463,078	(\$1,222,454)	-3.18%

**Program Year 2022 Workforce Innovation and Opportunity Act
Youth Program Local Workforce Development Board Formula Allocations**

LOCAL WORKFORCE DEVELOPMENT BOARDS	AREA OF SUBSTANTIAL UNEMPLOYMENT			ECONOMICALLY DISADVANTAGED		LWDB SHARE	HH *	PY 2022 FINAL ALLOCATION	PY 2021 FINAL ALLOCATION	DIFFERENCE	%
	LABOR FORCE	Unemployed		Total	Excess						
		Total	Rate								
1 CareerSource Escarosa	140,761	9,091	6.5%	9,625	6,725	0.023878270	*	\$870,776	\$929,041	(\$58,265)	-6.27%
2 CareerSource Okaloosa Walton	39,492	2,568	6.5%	3,155	1,520	0.006173289		\$225,123	\$251,235	(\$26,112)	-10.39%
3 CareerSource Chipola	18,676	1,222	6.5%	2,530	2,007	0.006622152	*	\$241,492	\$268,041	(\$26,549)	-9.90%
4 CareerSource Gulf Coast	41,630	2,688	6.5%	2,665	1,481	0.010506920	*	\$383,159	\$378,374	\$4,785	1.26%
5 CareerSource Capital Region	129,044	8,339	6.5%	16,765	14,428	0.041149091	*	\$1,500,596	\$1,584,645	(\$84,049)	-5.30%
6 CareerSource North Florida	34,756	2,261	6.5%	3,205	2,624	0.007569426		\$276,036	\$286,470	(\$10,434)	-3.64%
7 CareerSource Florida Crown	16,478	1,065	6.5%	3,795	3,194	0.008205947	*	\$299,249	\$310,717	(\$11,468)	-3.69%
8 CareerSource Northeast Florida	488,686	31,602	6.5%	23,895	13,646	0.064774548	*	\$2,362,153	\$2,464,969	(\$102,816)	-4.17%
9 CareerSource North Central Florida	72,284	4,703	6.5%	12,630	10,772	0.029195821	*	\$1,064,693	\$1,123,076	(\$58,383)	-5.20%
10 CareerSource Citrus Levy Marion	182,724	11,788	6.5%	9,135	6,567	0.031552220	*	\$1,150,624	\$1,222,997	(\$72,373)	-5.92%
11 CareerSource Flagler Volusia	248,288	16,025	6.5%	9,540	5,810	0.026248806		\$957,223	\$1,030,642	(\$73,419)	-7.12%
12 CareerSource Central Florida	1,311,635	94,538	7.2%	41,870	25,473	0.139888172		\$5,101,343	\$5,318,585	(\$217,242)	-4.08%
13 CareerSource Brevard	182,718	11,792	6.5%	6,955	3,380	0.017987586		\$655,959	\$699,285	(\$43,326)	-6.20%
14 CareerSource Pinellas	330,508	21,354	6.5%	10,995	4,864	0.029699722		\$1,083,069	\$1,187,924	(\$104,855)	-8.83%
15 CareerSource Tampa Bay	590,682	38,116	6.5%	24,470	14,896	0.071493865	*	\$2,607,188	\$2,704,652	(\$97,464)	-3.60%
16 CareerSource Pasco Hernando	246,007	15,869	6.5%	8,835	4,907	0.025207920	*	\$919,265	\$1,004,962	(\$85,697)	-8.53%
17 CareerSource Polk	320,216	21,688	6.8%	11,275	7,273	0.039367704	*	\$1,435,634	\$1,528,095	(\$92,461)	-6.05%
18 CareerSource Suncoast	227,987	14,714	6.5%	7,835	3,254	0.020489649		\$747,202	\$845,754	(\$98,552)	-11.65%
19 CareerSource Heartland	63,434	4,096	6.5%	5,350	4,399	0.015524528	*	\$566,138	\$593,436	(\$27,298)	-4.60%
20 CareerSource Research Coast	219,751	14,276	6.5%	7,875	4,303	0.023504165	*	\$857,133	\$964,333	(\$107,200)	-11.12%
21 CareerSource Palm Beach County	601,216	38,835	6.5%	19,235	10,182	0.055401847		\$2,020,355	\$2,147,432	(\$127,077)	-5.92%
22 CareerSource Broward	1,018,767	67,114	6.6%	23,310	10,575	0.079909533		\$2,914,085	\$2,824,273	\$89,812	3.18%
23 CareerSource South Florida	1,351,214	117,684	8.7%	45,510	28,621	0.178944100		\$6,525,605	\$6,089,898	\$435,707	7.15%
24 CareerSource Southwest Florida	459,594	29,731	6.5%	17,310	9,537	0.046704719		\$1,703,195	\$1,901,698	(\$198,503)	-10.44%
STATEWIDE TOTALS	8,336,548	581,159	7.0%	327,765	200,438	1.000000000		\$36,467,295	\$37,660,534	(\$1,193,239)	-3.17%

**Program Year 2022 Workforce Innovation and Opportunity Act
Dislocated Worker Program Local Workforce Development Board
Formula Allocations**

LOCAL WORKFORCE DEVELOPMENT BOARDS	20%	25%	25%	30%	LWDB SHARE	HH *	PY 2022	PY 2021	DIFFERENCE	%
	UC CLAIMANTS	UC CONCENTRATION	MASS LAYOFF	LONG-TERM UNEMPLOYED			FINAL ALLOCATION	FINAL ALLOCATION		
1 CareerSource Escarosa	1,483	9,551	13,363	219	0.019495377		\$546,454	\$557,229	(\$10,775)	-1.93%
2 CareerSource Okaloosa Walton	613	4,510	5,597	83	0.008150780		\$228,466	\$227,416	\$1,050	0.46%
3 CareerSource Chipola	318	1,826	3,223	40	0.003965210		\$111,145	\$133,460	(\$22,315)	-16.72%
4 CareerSource Gulf Coast	650	3,702	6,553	83	0.013274438	*	\$372,082	\$477,720	(\$105,638)	-22.11%
5 CareerSource Capital Region	1,359	7,991	11,939	170	0.016437608		\$460,745	\$444,948	\$15,797	3.55%
6 CareerSource North Florida	395	2,158	3,249	48	0.004578274		\$128,329	\$130,435	(\$2,106)	-1.61%
7 CareerSource Florida Crown	331	2,021	3,047	40	0.004044362		\$113,363	\$116,558	(\$3,195)	-2.74%
8 CareerSource Northeast Florida	6,077	33,629	56,750	720	0.072236206		\$2,024,776	\$2,285,974	(\$261,198)	-11.43%
9 CareerSource North Central Florida	804	5,590	18,629	102	0.013870136		\$388,779	\$610,333	(\$221,554)	-36.30%
10 CareerSource Citrus Levy Marion	1,750	10,424	15,179	210	0.020906456		\$586,007	\$636,354	(\$50,347)	-7.91%
11 CareerSource Flagler Volusia	2,370	14,032	22,022	285	0.028748549		\$805,820	\$876,948	(\$71,128)	-8.11%
12 CareerSource Central Florida	11,439	69,232	104,438	1,444	0.141039038		\$3,953,315	\$4,986,481	(\$1,033,166)	-20.72%
13 CareerSource Brevard	1,949	11,702	17,060	224	0.023082588		\$647,003	\$715,063	(\$68,060)	-9.52%
14 CareerSource Pinellas	3,193	19,465	29,719	401	0.039558790		\$1,108,830	\$1,224,651	(\$115,821)	-9.46%
15 CareerSource Tampa Bay	5,946	32,698	55,587	728	0.071301062		\$1,998,564	\$2,030,828	(\$32,264)	-1.59%
16 CareerSource Pasco Hernando	2,373	14,608	21,850	285	0.029005881		\$813,033	\$914,508	(\$101,475)	-11.10%
17 CareerSource Polk	3,146	17,585	28,063	389	0.037566010		\$1,052,973	\$984,787	\$68,186	6.92%
18 CareerSource Suncoast	1,991	14,540	20,233	243	0.026259423		\$736,050	\$788,194	(\$52,144)	-6.62%
19 CareerSource Heartland	637	3,763	5,004	79	0.007937745	*	\$222,494	\$253,685	(\$31,191)	-12.30%
20 CareerSource Research Coast	2,237	13,054	23,307	261	0.028396787	*	\$795,960	\$919,374	(\$123,414)	-13.42%
21 CareerSource Palm Beach County	5,365	31,669	45,241	627	0.064135246	*	\$1,797,707	\$2,073,398	(\$275,691)	-13.30%
22 CareerSource Broward	9,639	50,390	93,251	1,119	0.113342435		\$3,176,981	\$3,257,871	(\$80,890)	-2.48%
23 CareerSource South Florida	13,633	69,709	148,702	1,595	0.165156541		\$4,629,324	\$4,644,623	(\$15,299)	-0.33%
24 CareerSource Southwest Florida	3,874	25,869	34,924	443	0.047511058		\$1,331,732	\$1,483,599	(\$151,867)	-10.24%
STATEWIDE TOTALS	81,572	469,718	786,930	9,838	1.000000000		\$28,029,932	\$30,774,437	(\$2,744,505)	-8.92%

**Program Year 2022 Workforce Innovation and Opportunity Act
Supplemental Dislocated Worker Program Local Workforce Development Board
Formula Allocations**

LOCAL WORKFORCE DEVELOPMENT BOARDS	20%	25%	25%	30%	LWDB SHARE	PY 2022	PY2022	TOTAL
	UC CLAIMANTS	UC CONCENTRATION	MASS LAYOFF	LONG-TERM UNEMPLOYED		FINAL ALLOCATION DLW	FINAL ALLOCATION SUPPLEMENTAL DLW	
1 CareerSource Escarosa	1,483	9,551	13,363	219	0.019495377	\$546,454	\$169,203	\$715,657
2 CareerSource Okaloosa Walton	613	4,510	5,597	83	0.008150780	\$228,466	\$70,742	\$299,208
3 CareerSource Chipola	318	1,826	3,223	40	0.003965210	\$111,145	\$34,415	\$145,560
4 CareerSource Gulf Coast	650	3,702	6,553	83	0.013274438	\$372,082	\$115,211	\$487,293
5 CareerSource Capital Region	1,359	7,991	11,939	170	0.016437608	\$460,745	\$142,664	\$603,409
6 CareerSource North Florida	395	2,158	3,249	48	0.004578274	\$128,329	\$39,735	\$168,064
7 CareerSource Florida Crown	331	2,021	3,047	40	0.004044362	\$113,363	\$35,102	\$148,465
8 CareerSource Northeast Florida	6,077	33,629	56,750	720	0.072236206	\$2,024,776	\$626,948	\$2,651,724
9 CareerSource North Central Florida	804	5,590	18,629	102	0.013870136	\$388,779	\$120,381	\$509,160
10 CareerSource Citrus Levy Marion	1,750	10,424	15,179	210	0.020906456	\$586,007	\$181,450	\$767,457
11 CareerSource Flagler Volusia	2,370	14,032	22,022	285	0.028748549	\$805,820	\$249,513	\$1,055,333
12 CareerSource Central Florida	11,439	69,232	104,438	1,444	0.141039038	\$3,953,315	\$1,224,097	\$5,177,412
13 CareerSource Brevard	1,949	11,702	17,060	224	0.023082588	\$647,003	\$200,337	\$847,340
14 CareerSource Pinellas	3,193	19,465	29,719	401	0.039558790	\$1,108,830	\$343,336	\$1,452,166
15 CareerSource Tampa Bay	5,946	32,698	55,587	728	0.071301062	\$1,998,564	\$618,832	\$2,617,396
16 CareerSource Pasco Hernando	2,373	14,608	21,850	285	0.029005881	\$813,033	\$251,746	\$1,064,779
17 CareerSource Polk	3,146	17,585	28,063	389	0.037566010	\$1,052,973	\$326,041	\$1,379,014
18 CareerSource Suncoast	1,991	14,540	20,233	243	0.026259423	\$736,050	\$227,909	\$963,959
19 CareerSource Heartland	637	3,763	5,004	79	0.007937745	\$222,494	\$68,893	\$291,387
20 CareerSource Research Coast	2,237	13,054	23,307	261	0.028396787	\$795,960	\$246,460	\$1,042,420
21 CareerSource Palm Beach County	5,365	31,669	45,241	627	0.064135246	\$1,797,707	\$556,639	\$2,354,346
22 CareerSource Broward	9,639	50,390	93,251	1,119	0.113342435	\$3,176,981	\$983,715	\$4,160,696
23 CareerSource South Florida	13,633	69,709	148,702	1,595	0.165156541	\$4,629,324	\$1,433,417	\$6,062,741
24 CareerSource Southwest Florida	3,874	25,869	34,924	443	0.047511058	\$1,331,732	\$412,355	\$1,744,087
STATEWIDE TOTALS	81,572	469,718	786,930	9,838	1.000000000	\$28,029,932	\$8,679,141	\$36,709,073

Action Item 1, Continued

TEMPORARY ASSISTANCE FOR NEEDY FAMILIES (TANF)

* * * * *

STATE APPROPRIATIONS, FISCAL YEAR 2022/23 – \$58,294,377 (Prior Year 2021/22 – \$58,300,723; decrease of \$6,346 or .01%)

BASIC PURPOSE AND ELIGIBILITY: TANF serves low-income families with children, including two-parent families. The TANF program strongly emphasizes a “Work First” philosophy that combines added assistance in obtaining needed training, starting work and receiving childcare; transportation and transitional supports to retain employment, advance and become self-sufficient; and time limits and sanctions as needed.

SPECIFIC MANDATES/LIMITATIONS: Eligibility limits for receiving Temporary Cash Assistance (TCA) benefits include having a gross income equal to or less than 185% of the federal poverty level and limited assets. Services/programs that assist families in avoiding welfare dependency by gaining and retaining employment are available in the form of one-time payments, job placement assistance and transitional work support services, and can be more broadly extended to “needy families” (set at 200% of the poverty level in Florida). Also, there are other diversion programs designed to reduce and/or prevent welfare dependency, such as teen pregnancy prevention programs, programs that enable the formation and maintenance of two-parent families, and post-employment career advancement and job retention programs. Florida is required to provide matching state general revenue funds to satisfy the federal “maintenance of effort.” TANF funds may not be used for medical expenses, undocumented immigrants or convicted felons. TANF funds which are unspent at the local level within specified time limits, are restricted to “benefits only” and can no longer be used for other purposes including workforce and support services.

DISTRIBUTION MECHANISMS: TANF funds are provided to the state by federal block grants with some special supplements provided to Florida and other states. There are no federally established formulas for sub-state distribution of TANF funds, noting that TANF administration in most states is state or county-based, with no decentralized governance/delivery structures similar to Florida’s local workforce development boards. The Florida Legislature defines and approves the yearly appropriation of TANF funds to DEO and the CareerSource Florida Board to address both state and local needs which are further administered, allocated and directed by the state board.

Since the state workforce board’s inception in July 2000, the CareerSource Florida Board has transitioned the historical TANF (Welfare Transition) allocation formula (based only on the cash assistance caseload) to a 50/50 allocation formula – 50% of the available funds are allocated to local workforce development boards based upon their share of the number of children within households receiving food stamps, and the remaining 50% based upon cash assistance caseload or TANF households with an adult member. The data on numbers of children receiving food stamps and the

cash assistance caseload are available from the Department of Children and Families.

In calculating the 2022/23 distributions, the board applied a 90% “hold harmless” provision to ensure that no local board would face an inordinate shift or reduction of funds from the prior fiscal year due to shifts in data used in the funding methodology. This is the same hold harmless provision required under the WIOA Adult, Youth and Dislocated Worker programs, which calculates a two-year average percentage for each local board and assures they will not receive less than 90% of that average.

SPECIFIC FUND DISTRIBUTIONS FOR FY 2022/23: A total of **\$58,294,377** in TANF funds was appropriated by the 2022 Legislature. This amount includes **\$4,363,470** for program and administrative support provided by the Department of Economic Opportunity and the CareerSource Florida Board. This funding also includes a specific appropriation of \$877,920 for the Non-Custodial Parent Employment Program for Pinellas, Pasco, Hernando, and Hillsborough counties, and \$538,080 for Miami-Dade County to be administered by CareerSource Pasco Hernando. After deducting program and administrative support, and the **\$1,416,000** for the Non-Custodial Parent Employment Program, the remaining amount available for local allocations is **\$52,514,907**, which is level funded with the prior year.

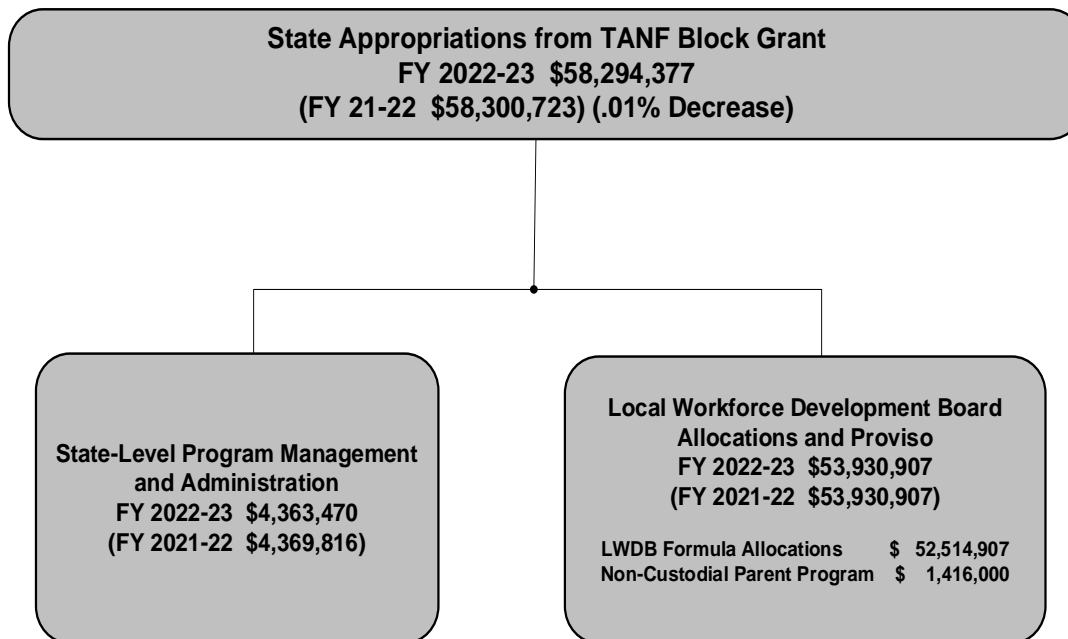
	<u>FY 2022/23</u>
DEO and CSF Administration	\$ 4,363,470
Non-Custodial Parent Program	1,416,000
Local Allocations	<u>52,514,907</u>
Total	\$58,294,377

Using these amounts and assuming no additional changes in the allocation methodology, the total amounts by local board are reflected on the attached chart titled “***Program Year 2022 Temporary Assistance for Needy Families Local Workforce Development Board Formula Allocations.***”

FOR CONSIDERATION

Approval of the allocation methodology as proposed for the distribution of TANF funding for Fiscal Year 2022/23.

FLORIDA FUNDING FOR Temporary Assistance for Needy Families (TANF)



**Program Year 2022 Welfare Transition Program
Local Workforce Development Board Formula Allocations**

LOCAL WORKFORCE DEVELOPMENT BOARDS	50%		HH * LWDB SHARE	FY 2022/23	FY 2021/22	DIFFERENCE	%
	50% SNAP	WELFARE CASELOAD		FINAL ALLOCATION	FINAL ALLOCATION		
1 CareerSource Escarosa	168,920	4,364	0.026146591	\$1,373,086	\$1,318,150	\$54,936	4.17%
2 CareerSource Okaloosa Walton	67,175	1,371	0.009137986	\$479,880	\$475,048	\$4,832	1.02%
3 CareerSource Chipola	49,143	1,173	0.007272779	\$381,929	\$330,279	\$51,650	15.64%
4 CareerSource Gulf Coast	70,542	1,436	0.009583154	\$503,258	\$472,470	\$30,788	6.52%
5 CareerSource Capital Region	128,179	3,120	0.019178555	\$1,007,160	\$965,300	\$41,860	4.34%
6 CareerSource North Florida	54,224	1,226	0.007788700	\$409,023	\$362,023	\$47,000	12.98%
7 CareerSource Florida Crown	55,045	1,558	0.011321952	* \$594,571	\$535,831	\$58,740	10.96%
8 CareerSource Northeast Florida	584,046	14,693	0.089034906	\$4,675,660	\$4,613,554	\$62,106	1.35%
9 CareerSource North Central Florida	94,210	2,573	0.015063347	\$791,050	\$681,948	\$109,102	16.00%
10 CareerSource Citrus Levy Marion	209,104	5,750	0.033569019	\$1,762,874	\$1,676,326	\$86,548	5.16%
11 CareerSource Flagler Volusia	218,659	5,716	0.034077163	\$1,789,559	\$1,794,221	(\$4,662)	-0.26%
12 CareerSource Central Florida	1,022,916	20,634	0.138309589	\$7,263,315	\$7,105,664	\$157,651	2.22%
13 CareerSource Brevard	162,063	3,869	0.023986471	\$1,259,647	\$1,196,502	\$63,145	5.28%
14 CareerSource Pinellas	235,960	6,712	0.038653027	\$2,029,860	\$2,153,714	(\$123,854)	-5.75%
15 CareerSource Tampa Bay	583,989	12,995	0.083161533	\$4,367,220	\$4,380,492	(\$13,272)	-0.30%
16 CareerSource Pasco Hernando	235,635	6,257	0.037058904	\$1,946,145	\$2,018,644	(\$72,499)	-3.59%
17 CareerSource Polk	362,812	7,431	0.049444921	\$2,596,595	\$2,453,170	\$143,425	5.85%
18 CareerSource Suncoast	171,359	4,025	0.025134447	\$1,319,933	\$1,336,764	(\$16,831)	-1.26%
19 CareerSource Heartland	92,851	1,895	0.015681668	* \$823,521	\$811,115	\$12,406	1.53%
20 CareerSource Research Coast	192,684	2,656	0.021798485	\$1,144,745	\$1,063,369	\$81,376	7.65%
21 CareerSource Palm Beach County	455,178	5,063	0.047307489	\$2,484,348	\$2,485,608	(\$1,260)	-0.05%
22 CareerSource Broward	682,263	9,464	0.077390712	\$4,064,166	\$4,103,360	(\$39,194)	-0.96%
23 CareerSource South Florida	1,327,368	13,408	0.133266744	\$6,998,494	\$7,802,614	(\$804,120)	-10.31%
24 CareerSource Southwest Florida	370,320	6,475	0.046631858	\$2,448,868	\$2,378,741	\$70,127	2.95%
STATEWIDE TOTALS	7,594,645	143,864	1.000000000	\$52,514,907	\$52,514,907	\$0	0.00%

*Indicates 90% Hold Harmless in Effect

Action Item 1, Continued

WAGNER-PEYSER (WP)

* * * * *

FEDERAL AWARD FY 2022/23 FOR WAGNER-PEYSER – \$38,879,016 (Prior Year 2021/22 \$38,157,663; increase of \$721,353 or 1.89%)

Statutory Reference: Wagner-Peyser Act of 1933, 48 Stat.113 as amended; Workforce Investment Act of 1998; Workforce Innovation and Opportunity Act of 2014.

Grantor Agency: USDOL

Grant Program Objectives: To place persons in employment by providing a variety of placement-related services without charge to job seekers and to employers seeking qualified individuals to fill job openings.

Description of the Grant Program:

The Wagner-Peyser Act of 1933 established a nationwide system of public employment offices known as the Employment Service. The Wagner-Peyser Act was amended by the Workforce Investment Act of 1998 and the Workforce Innovation and Opportunity Act of 2014, making the Employment Service part of the one-stop delivery system. Employment services are an integral part of the one-stop delivery system that provides an integrated array of high-quality services so that workers, job seekers and businesses can find the services they need under one roof in easy-to-reach locations. Employment services are services related to a labor exchange system including job search assistance, referral and placement assistance to job seekers, reemployment services to unemployment insurance claimants and recruitment services to employers with job openings. Services may be delivered through self-service, facilitated self-help services and staff-assisted services. Core services, such as assessments of skill levels, abilities and aptitudes; career guidance when appropriate; job search workshops; and referral to training as appropriate may also be available. The services offered to employers, in addition to referral of job seekers to job openings, include matching job requirements with job seeker experience, skills and other attributes; helping with special recruitment needs; helping employers analyze hard-to-fill job orders; assisting with job restructuring; and helping employers address layoffs.

Description of Process Used to Allocate Available Grant Funds:

Wagner-Peyser 7(a) Funds – As shown on the *Florida Funding for Wagner-Peyser* chart, less than 10% of the 7(a) grant funds (\$2,818,672) are reserved for state-level program operations and administration. More than 90% (\$32,172,442) of these funds are available to support one-stop program services at the local level.

The allocation of Wagner-Peyser funding to local boards is based on the federal formula used to distribute grant funds among the states. The formula is:

- 2/3 based on the relative share of the state’s civilian labor force (based on an annualized average)
- 1/3 based on the relative share of the state’s number of unemployed individuals (based on an annualized average)

Total PY 2022 WP 7(a)	\$34,991,114
LWDB Salaries and Pass-Through	(27,676,851)
Labor Exchange System	(4,128,705)
LWDB Insurance and HR Fees	(366,886)
Remaining for State-Level Administration	\$2,818,672

Wagner-Peyser 7(b) Funds – Section 7(b) of the Wagner-Peyser Act reserves 10% (or \$3,887,902) of the available grant funds allocated to Florida (\$38,879,016) for use by the Governor for state-level activities including outreach, special projects, and performance incentives. The remaining grant funds are available for additional eligible activities.

Total PY 2022 WP 7(b)	\$3,887,902
Plus Est. Bal. of Unreserved W-P 7(b) Funds	168,958
Total WP 7(b) Funds Available	\$4,056,860

The following recommendations are presented to the board for the establishment of commitments for 2022/23.

Statewide Outreach (\$1,500,000)

Spurred by Governor DeSantis’ bold priorities for economic recovery and growth, Florida’s economic rebound continues. In April 2021, the unemployment rate was 4.8 percent, remaining below the national average of 6.1 percent. Florida’s unemployment rate has remained below the national rate for nine consecutive months and decreased by 9.2 percentage points over the year. Meanwhile, the labor force in April 2021 increased by 73,000 over the month, reaching its highest point since the beginning of the pandemic.

As the CareerSource Florida network continues its work to connect employers with qualified, skilled talent and Floridians with employment and career opportunities, outreach to workforce system customers and potential customers who would benefit from the availability of public workforce services and resources remains a key need and priority.

While economic indicators demonstrate that Florida continues to move in the right direction, we have an opportunity to further strengthen these efforts. In Florida, there are currently more than 460,000 job opportunities available and businesses struggling to find qualified workers. Additionally, there are 487,000 unemployed Floridians who are looking for work.

Florida, as the nation’s third-largest state and with a diverse citizenry, must continue to ensure there is clear and consistent public information statewide about workforce priorities and programs, which requires a customer-focused investment that traditionally has been a core component of the state workforce development board’s annual financial allocations.

The comprehensive REACH Act, underscores the need for the development and execution of a new-year strategic and collaborative public outreach plan. Through a series of significant system changes, the REACH Act requires, among other things:

- Further alignment and support across the broader workforce development system to help more Floridians achieve self-sufficiency.
- Creation of a “no-wrong-door” approach to providing access to workforce development system services.
- Creation of an online opportunity portal to provide Floridians with access to available federal, state and local services and evaluative tools to determine employability and long-term self-sufficiency as well as broader access to education and training options, real-time labor market information, career planning and career services tools, along with other support for workforce training linked to middle- and high-wage, in-demand jobs.
- The continued work of the Credentials Review Committee to identify degree and non-degree credentials of value, develop a Master Credentials List for performance funding, and establish policy direction for funding that prioritizes outcomes and leverages resources to support vulnerable populations.

These funds would support CareerSource Florida-led collaborative, integrated communications planning and tactics for statewide and regional outreach through public information, media relations, public service announcements, advertising outreach to job seekers and employers, social media outreach, partners engagement and other strategies. The priority for public outreach would be to advance the customer-centered goals of the REACH Act and effective implementation of the new WIOA Governor’s Reserve Funds Plan.

Military Family Employment Advocacy Program (\$971,782)

The Military Family Employment Advocacy Program (MFEAP) was established by Section 445.055, F.S., to provide employment advocates and services at Florida career centers with high military populations associated with military bases. Persons eligible for assistance through this program include spouses and dependents of active-duty military personnel, Florida National Guard members and military reservists located in Florida. CareerSource Florida has allocated Wagner-Peyser 7(b) funds to local boards 1, 2, 4, 8, 13, 15 and 23 since state Fiscal Year 2008/09 to keep this successful program operational. There are approximately 37,000 military spouses who currently reside in Florida, and 60% of them live in these local areas. The current funding helps facilitate the work of 10 MFEAP advocates currently assigned to career centers in Pensacola, Fort Walton Beach, Panama City, Jacksonville, Cocoa, Tampa Bay and Miami-Dade. The MFEAP advocates’ sole focus is to assist active-duty military spouses and dependents in obtaining and retaining gainful employment. Many of the advocates are co-located at family support centers within military bases.

Apprenticeship Navigators in Local Workforce Development Boards (\$1,500,000)

Dedicated local workforce development board team members will seek to expand access to registered apprenticeships to individuals who represent the state’s priority commitments, amplifying the DOE work through Apprenticeship Training Representatives.

Wagner-Peyser 7(b) Funding Summary

In the event the foregoing reserves and commitments are approved by the state board, an estimated balance of **\$85,078** will remain available for additional projects or as a carry forward into the next fiscal year. Please note this amount is an estimate because certain current year

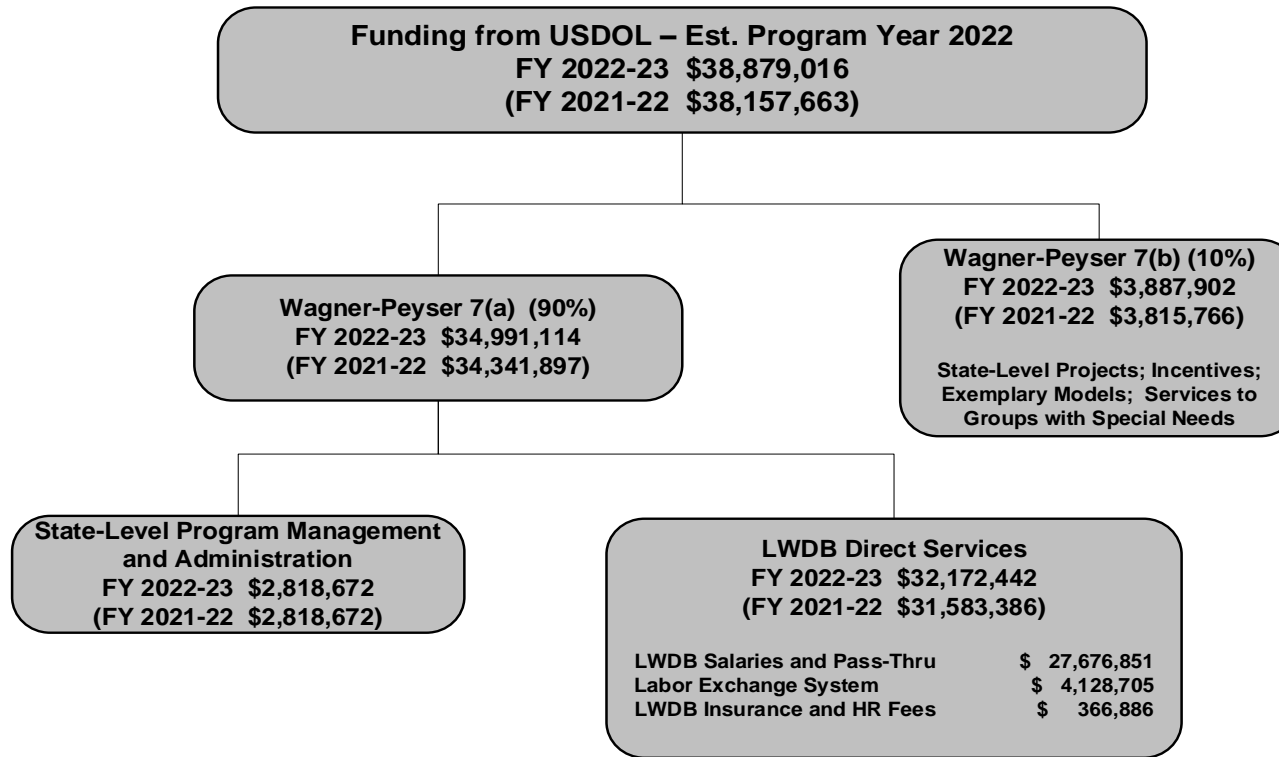
funds may not be available for carry-forward purposes or allocated funds may not be expended at the level expected during the fiscal year.

Total 2022/23 WP 7(b) Funds Available	\$4,056,860
Less Proposed Discretionary Board Allocations:	
Statewide Outreach	(1,500,000)
Military Family Employment Advocacy Program	(971,782)
Apprenticeship Navigators	(1,500,000)
Balance Remaining	\$85,078

FOR CONSIDERATION

Approval of the Program Year 2022/23 Wagner Peyser 7(b) projects.

FLORIDA FUNDING FOR WAGNER-PEYSER



**Program Year 2022 Wagner-Peyser Act
Local Workforce Development Board Formula Allocations**

LOCAL WORKFORCE DEVELOPMENT BOARDS	2/3	1/3	LWDB SHARE	PY 2022	PY 2021	DIFFERENCE	%
	CIVILIAN LABOR FORCE	UNEMPLOYED INDIVIDUALS		FINAL ALLOCATION	FINAL ALLOCATION		
1 CareerSource Escarosa	230,913	9,551	0.021705129	\$600,730	\$578,269	\$22,461	3.88%
2 CareerSource Okaloosa Walton	133,209	4,510	0.011811759	\$326,912	\$315,486	\$11,426	3.62%
3 CareerSource Chipola	41,092	1,826	0.003952193	\$109,384	\$103,054	\$6,330	6.14%
4 CareerSource Gulf Coast	95,926	3,702	0.008828217	\$244,337	\$244,679	(\$342)	-0.14%
5 CareerSource Capital Region	189,043	7,991	0.017891408	\$495,178	\$457,832	\$37,346	8.16%
6 CareerSource North Florida	45,750	2,158	0.004488911	\$124,239	\$115,683	\$8,556	7.40%
7 CareerSource Florida Crown	46,902	2,021	0.004466160	\$123,609	\$116,050	\$7,559	6.51%
8 CareerSource Northeast Florida	824,150	33,629	0.077141611	\$2,135,037	\$2,031,132	\$103,905	5.12%
9 CareerSource North Central Florida	149,249	5,590	0.013615077	\$376,822	\$356,084	\$20,738	5.82%
10 CareerSource Citrus Levy Marion	206,184	10,424	0.020726051	\$573,632	\$537,813	\$35,819	6.66%
11 CareerSource Flagler Volusia	303,402	14,032	0.029571082	\$818,434	\$791,695	\$26,739	3.38%
12 CareerSource Central Florida	1,365,501	69,232	0.137402603	\$3,802,872	\$3,905,867	(\$102,995)	-2.64%
13 CareerSource Brevard	289,653	11,702	0.027028807	\$748,072	\$722,451	\$25,621	3.55%
14 CareerSource Pinellas	486,173	19,465	0.045241765	\$1,252,150	\$1,259,815	(\$7,665)	-0.61%
15 CareerSource Tampa Bay	769,097	32,698	0.072922045	\$2,018,253	\$1,977,327	\$40,926	2.07%
16 CareerSource Pasco Hernando	319,826	14,608	0.031041562	\$859,133	\$823,617	\$35,516	4.31%
17 CareerSource Polk	328,590	17,585	0.033720724	\$933,283	\$893,915	\$39,368	4.40%
18 CareerSource Suncoast	373,938	14,540	0.034491361	\$954,612	\$934,374	\$20,238	2.17%
19 CareerSource Heartland	75,991	3,763	0.007582813	\$209,868	\$199,291	\$10,577	5.31%
20 CareerSource Research Coast	288,977	13,054	0.027944548	\$773,417	\$743,943	\$29,474	3.96%
21 CareerSource Palm Beach County	734,055	31,669	0.069926540	\$1,935,346	\$1,906,506	\$28,840	1.51%
22 CareerSource Broward	1,029,454	50,390	0.102307799	\$2,831,558	\$2,839,558	(\$8,000)	-0.28%
23 CareerSource South Florida	1,353,741	69,709	0.136980883	\$3,791,200	\$3,620,669	\$170,531	4.71%
24 CareerSource Southwest Florida	631,964	25,869	0.059210952	\$1,638,773	\$1,612,685	\$26,088	1.62%
STATEWIDE TOTALS	10,312,780	469,718	1.000000000	\$27,676,851	\$27,087,795	\$589,056	2.17%

Action Item 1, Continued

Consolidated Action Item 1 – Fiscal Year 2022-2023 CareerSource Florida Network Funding

FOR CONSIDERATION

1. Approval to establish the Program Year 2022 WIOA state-level projects.
2. Approval of the allocation methodology as proposed for the distribution of TANF funding for Fiscal Year 2022/23.
3. Approval of the Program Year 2022 Wagner-Peyser 7(b) state-level activities.

From: Kelly, Alex [Alex.Kelly@eog.myflorida.com]
Sent: Thursday, May 26, 2022 8:44 AM
To: Ivey, Meredith [Meredith.Ivey@deo.myflorida.com]; Mahon, Jason [Jason.Mahon@eog.myflorida.com]
CC: Johnston, Adrienne [Adrienne.Johnston@deo.myflorida.com]; Eagle, Dane [Dane.Eagle@deo.myflorida.com]; Kelly Jefferson, Savannah [Savannah.KellyJefferson@eog.myflorida.com]
Subject: RE: Budget Signing Ideas
Attachments: Ifscty Apr 2022 April 2019 MSA Emp Apr 2022 Feb 2020.xlsx

sorry, didn't see you sent this last night

J. Alex Kelly
Deputy Chief of Staff
Executive Office of the Governor
(850) 443-8626
alex.kelly@eog.myflorida.com

From: Ivey, Meredith <Meredith.Ivey@deo.myflorida.com>
Sent: Wednesday, May 25, 2022 6:33 PM
To: Kelly, Alex <Alex.Kelly@eog.myflorida.com>; Mahon, Jason <Jason.Mahon@eog.myflorida.com>
Cc: Johnston, Adrienne <Adrienne.Johnston@deo.myflorida.com>; Eagle, Dane <Dane.Eagle@deo.myflorida.com>
Subject: FW: Budget Signing Ideas

Alex and Jason,

Our team reviewed economic data this afternoon and we have suggestions for you to consider as a starting point -

- Sheet 1: is a reference table showing which counties are in which Metropolitan Statistical Areas (MSAs).
- Sheet 2: - Contains seasonally adjusted job creation from February 2020 (pre-pandemic) to April 2022, which is only available **by MSA** (the "MSA CES Emp" sheet).
- Sheet 3&4: Compares growth in labor force and growth in the number of employed residents **by county** between April 2019 to April 2022 (best comparison of Governor's first term available); (these are the "CTY LF" and "CTY LF Employment sheets").

Across all scenarios, Sumter County (also The Villages MSA) and Polk County (also Lakeland-Winter Haven MSA) grew the fastest of all other areas in the state.

Please let us know how you would like us to move this forward, or if additional analysis would be useful.

Thanks,
Meredith Ivey
Chief of Staff

Florida Department of Economic Opportunity

Office: 850-245-7153

Email: Meredith.Ivey@deo.myflorida.com

www.FloridaJobs.org



From: Kelly Jefferson, Savannah <Savannah.KellyJefferson@eog.myflorida.com>

Sent: Wednesday, May 25, 2022 8:52 AM

To: Kelly, Alex <Alex.Kelly@eog.myflorida.com>

Cc: Mahon, Jason <Jason.Mahon@eog.myflorida.com>

Subject: Budget Signing Ideas

I took a look at our budget highlight document yesterday from OPB. We've actually hit majority of the budget highlights already, so when I think of where we sign the budget, I thought it could be cool if we did two stops. One to the county with the highest economic growth and one stop to the county with the most jobs created.

Thoughts?

Savannah Kelly Jefferson

Director of External Affairs

Governor Ron DeSantis

850-508-1021

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MSA/MD Name
Cape Coral-Fort Myers MSA
Crestview-Ft Walton Beach-Destin MSA
Deltona-Daytona Beach-Ormond Beach MSA
Fort Lauderdale-Pompano Beach-Deerfield Beach Metropolitan Division
Gainesville MSA
Homosassa Springs MSA
Jacksonville MSA
Lakeland-Winter Haven MSA
Miami-Miami Beach-Kendall Metropolitan Division
Naples-Immokalee-Marco Island MSA
North Port-Sarasota-Bradenton MSA
Ocala MSA
Orlando-Kissimmee-Sanford MSA
Palm Bay-Melbourne-Titusville MSA
Panama City MSA
Pensacola-Ferry Pass-Brent MSA
Port St. Lucie MSA
Punta Gorda MSA
Sebastian-Vero Beach MSA
Sebring MSA
Tallahassee MSA
Tampa-St Petersburg-Clearwater MSA
The Villages MSA
West Palm Beach-Boca Raton-Delray Beach Metropolitan Division

Counties Included
Lee
Okaloosa, Walton
Flagler, Volusia
Broward
Alachua, Gilchrist
Citrus
Baker, Clay, Duval, Nassau, St. Johns
Polk
Miami-Dade
Collier
Manatee, Sarasota
Marion
Lake, Orange, Osceola, Seminole
Brevard
Bay, Gulf
Escambia, Santa Rosa
Martin, St. Lucie
Charlotte
Indian River
Highlands
Gadsden, Jefferson, Leon, Wakulla
Hernando, Hillsborough, Pasco, Pinellas
Sumter
Palm Beach

Florida
Total Nonagricultural Employment
Selected Metropolitan Statistical Areas (MSAs) and Metropolitan Divisions (MDs)
(Seasonally Adjusted)

Area	April 2022	February 2020	Change	
			Level	Percent
The Villages MSA	36,300	32,700	3,600	11.0%
Lakeland-Winter Haven MSA	263,000	241,800	21,200	8.8%
North Port-Sarasota-Bradenton MSA	333,300	315,200	18,100	5.7%
Cape Coral-Fort Myers MSA	293,600	282,100	11,500	4.1%
Crestview-Fort Walton Beach-Destin MSA	124,400	120,000	4,400	3.7%
Jacksonville MSA	761,400	734,700	26,700	3.6%
Punta Gorda MSA	52,300	50,500	1,800	3.6%
Panama City MSA	84,400	81,800	2,600	3.2%
Tampa - St. Petersburg - Clearwater MSA	1,450,100	1,406,800	43,300	3.1%
Port St. Lucie MSA	163,400	158,600	4,800	3.0%
Palm Bay-Melbourne-Titusville MSA	240,800	234,100	6,700	2.9%
Ocala MSA	112,100	109,500	2,600	2.4%
Deltona-Daytona Beach-Ormond Beach MSA	213,000	208,400	4,600	2.2%
Pensacola -Ferry Pass-Brent MSA	192,400	188,800	3,600	1.9%
West Palm Beach-Boca Raton-Delray Beach MD	657,600	648,800	8,800	1.4%
Naples-Immokalee-Marco Island MSA	159,500	157,800	1,700	1.1%
Tallahassee MSA	188,900	187,200	1,700	0.9%
Gainesville MSA	150,100	149,300	800	0.5%
Homosassa Springs MSA	33,300	33,200	100	0.3%
Orlando-Kissimmee-Sanford MSA	1,350,000	1,348,500	1,500	0.1%
Miami-Miami Beach-Kendall MD	1,238,400	1,238,800	-400	0.0%
Sebastian-Vero Beach MSA	54,600	55,000	-400	-0.7%
Fort Lauderdale-Pompano Beach-Deerfield Beach MD	867,700	874,300	-6,600	-0.8%
Sebring MSA	25,200	25,800	-600	-2.3%

Source: U.S. Bureau of Labor Statistics, Current Employment Statistics Program.
Prepared by: Florida Department of Economic Opportunity, Bureau of Workforce
Statistics and Economic Research.

Florida
Labor Force Employment by County
(not seasonally adjusted)

County	Employment		Change	
	April 2022	April 2019	Level	Percent
Sumter County	34,493	30,236	4,257	14.1%
Polk County	325,899	289,052	36,847	12.7%
Gadsden County	19,636	17,542	2,094	11.9%
Hardee County	8,950	8,001	949	11.9%
St. Johns County	144,047	129,078	14,969	11.6%
DeSoto County	15,312	13,973	1,339	9.6%
Hendry County	16,071	14,691	1,380	9.4%
Walton County	33,549	30,687	2,862	9.3%
Nassau County	43,209	39,593	3,616	9.1%
Pasco County	247,223	226,981	20,242	8.9%
Hernando County	73,111	67,413	5,698	8.5%
Gulf County	5,264	4,854	410	8.4%
Lee County	361,606	334,163	27,443	8.2%
Sarasota County	195,132	180,732	14,400	8.0%
Manatee County	186,460	172,876	13,584	7.9%
Hillsborough County	772,899	718,455	54,444	7.6%
Madison County	7,631	7,101	530	7.5%
Baker County	12,185	11,340	845	7.5%
Duval County	492,892	459,368	33,524	7.3%
St. Lucie County	148,962	138,832	10,130	7.3%
Clay County	108,960	101,567	7,393	7.3%
Charlotte County	73,401	68,437	4,964	7.3%
Bay County	85,511	79,734	5,777	7.2%
Okaloosa County	99,028	92,421	6,607	7.1%
Santa Rosa County	85,531	80,013	5,518	6.9%
Monroe County	48,146	45,214	2,932	6.5%
Brevard County	286,361	268,968	17,393	6.5%
Franklin County	4,737	4,457	280	6.3%
Pinellas County	489,675	461,616	28,059	6.1%
Flagler County	47,921	45,206	2,715	6.0%
Collier County	184,096	174,539	9,557	5.5%
Escambia County	145,456	138,015	7,441	5.4%
Marion County	138,599	131,534	7,065	5.4%
Martin County	73,768	70,075	3,693	5.3%
Calhoun County	4,796	4,558	238	5.2%
Osceola County	185,109	175,979	9,130	5.2%
Palm Beach County	737,647	702,740	34,907	5.0%
Wakulla County	15,579	14,852	727	4.9%
Lake County	161,502	153,969	7,533	4.9%
Volusia County	253,128	241,670	11,458	4.7%
Jefferson County	5,574	5,340	234	4.4%
Putnam County	26,323	25,280	1,043	4.1%
Alachua County	139,756	134,431	5,325	4.0%

Florida
Labor Force Employment by County
(not seasonally adjusted)

County	Employment		Change	
	April 2022	April 2019	Level	Percent
Levy County	16,529	15,962	567	3.6%
Orange County	746,942	723,103	23,839	3.3%
Gilchrist County	7,199	6,974	225	3.2%
Dixie County	5,747	5,568	179	3.2%
Indian River County	64,528	62,611	1,917	3.1%
Leon County	153,843	149,334	4,509	3.0%
Seminole County	249,183	242,019	7,164	3.0%
Holmes County	6,802	6,616	186	2.8%
Broward County	1,016,653	989,046	27,607	2.8%
Citrus County	45,685	44,570	1,115	2.5%
Bradford County	10,687	10,479	208	2.0%
Jackson County	16,689	16,380	309	1.9%
Okeechobee County	17,275	17,027	248	1.5%
Washington County	9,324	9,231	93	1.0%
Glades County	5,295	5,259	36	0.7%
Columbia County	28,360	28,186	174	0.6%
Union County	4,480	4,458	22	0.5%
Liberty County	2,521	2,536	-15	-0.6%
Lafayette County	2,711	2,745	-34	-1.2%
Taylor County	7,644	7,851	-207	-2.6%
Hamilton County	3,921	4,032	-111	-2.8%
Suwannee County	16,876	17,396	-520	-3.0%
Highlands County	33,255	34,293	-1,038	-3.0%
Miami-Dade County	1,290,661	1,336,578	-45,917	-3.4%

Source: Florida Department of Economic Opportunity, Bureau of Workforce Statistics and Economic Research, Local Area Unemployment Statistics Program.

Florida
Labor Force by County
(not seasonally adjusted)

County	Labor Force		Change	
	April 2022	April 2019	Level	Percent
Sumter County	35,563	31,692	3,871	12.2%
Polk County	335,608	299,375	36,233	12.1%
Gadsden County	20,257	18,237	2,020	11.1%
St. Johns County	146,572	132,346	14,226	10.7%
Hardee County	9,198	8,368	830	9.9%
Walton County	34,219	31,546	2,673	8.5%
DeSoto County	15,634	14,424	1,210	8.4%
Hendry County	16,612	15,337	1,275	8.3%
Nassau County	44,031	40,713	3,318	8.1%
Pasco County	253,293	234,738	18,555	7.9%
Lee County	369,748	344,347	25,401	7.4%
Hernando County	75,275	70,174	5,101	7.3%
Sarasota County	199,268	186,230	13,038	7.0%
Manatee County	190,429	178,042	12,387	7.0%
Hillsborough County	790,630	739,913	50,717	6.9%
Madison County	7,851	7,355	496	6.7%
Duval County	505,264	473,860	31,404	6.6%
Baker County	12,446	11,681	765	6.5%
Clay County	111,200	104,542	6,658	6.4%
Okaloosa County	100,896	94,858	6,038	6.4%
St. Lucie County	153,169	144,057	9,112	6.3%
Charlotte County	75,234	70,902	4,332	6.1%
Santa Rosa County	87,252	82,273	4,979	6.1%
Monroe County	48,858	46,103	2,755	6.0%
Brevard County	292,847	277,389	15,458	5.6%
Osceola County	191,397	181,503	9,894	5.5%
Bay County	87,303	82,804	4,499	5.4%
Pinellas County	500,146	475,244	24,902	5.2%
Gulf County	5,368	5,106	262	5.1%
Flagler County	49,199	46,874	2,325	5.0%
Escambia County	149,093	142,260	6,833	4.8%
Franklin County	4,840	4,621	219	4.7%
Collier County	187,736	179,458	8,278	4.6%
Marion County	142,569	136,450	6,119	4.5%
Lake County	165,633	158,740	6,893	4.3%
Martin County	75,282	72,200	3,082	4.3%
Palm Beach County	754,909	724,221	30,688	4.2%
Wakulla County	15,892	15,264	628	4.1%
Volusia County	259,690	249,788	9,902	4.0%
Calhoun County	4,916	4,735	181	3.8%
Putnam County	27,297	26,338	959	3.6%

Florida
Labor Force by County
(not seasonally adjusted)

County	Labor Force		Change	
	April 2022	April 2019	Level	Percent
Jefferson County	5,712	5,516	196	3.6%
Alachua County	142,771	138,095	4,676	3.4%
Orange County	767,209	743,393	23,816	3.2%
Leon County	157,628	153,597	4,031	2.6%
Levy County	16,973	16,554	419	2.5%
Broward County	1,042,829	1,017,892	24,937	2.4%
Seminole County	254,731	248,820	5,911	2.4%
Dixie County	5,896	5,767	129	2.2%
Indian River County	66,338	64,900	1,438	2.2%
Gilchrist County	7,361	7,202	159	2.2%
Holmes County	6,967	6,844	123	1.8%
Bradford County	10,958	10,798	160	1.5%
Citrus County	47,248	46,681	567	1.2%
Jackson County	17,137	16,941	196	1.2%
Okeechobee County	17,707	17,594	113	0.6%
Washington County	9,568	9,543	25	0.3%
Columbia County	29,108	29,069	39	0.1%
Union County	4,568	4,583	-15	-0.3%
Glades County	5,414	5,455	-41	-0.8%
Lafayette County	2,782	2,820	-38	-1.3%
Liberty County	2,585	2,624	-39	-1.5%
Hamilton County	4,059	4,190	-131	-3.1%
Taylor County	7,854	8,131	-277	-3.4%
Suwannee County	17,310	17,953	-643	-3.6%
Miami-Dade County	1,324,596	1,375,079	-50,483	-3.7%
Highlands County	34,466	35,784	-1,318	-3.7%

Source: Florida Department of Economic Opportunity, Bureau of Workforce Statistics and Economic Research, Local Area Unemployment Statistics Program.

From: Alex.Kelly@eog.myflorida.com
Sent: Friday, May 27, 2022 3:21 PM
To: Eagle, Dane [Dane.Eagle@deo.myflorida.com]; Ivey, Meredith [Meredith.Ivey@deo.myflorida.com]; Adler, Marc [Madler@enterprise-florida.com]; Mimbs, Brian [bmimbs@enterprise-florida.com]
Subject: Fwd: National Emergency Declaration 5-23-2022 Baby Formula
Attachments: image001.png; Regional Emergency Declaration - Baby Formula - 05-23-2022.pdf; FAQs Regarding- Regional Emergency Declaration - Baby Formula - 05-23-2022.pdf

Sent from my iPhone

Begin forwarded message:

From: "Mahon, Jason" <Jason.Mahon@eog.myflorida.com>
Date: May 27, 2022 at 2:19:02 PM CDT
To: _Press <_Press@eog.myflorida.com>, "Redshaw, Caroline" <Caroline.Redshaw@eog.myflorida.com>, _Leadership Team <_LeadershipTeam@eog.myflorida.com>
Subject: Fwd: National Emergency Declaration 5-23-2022 Baby Formula

FYI

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From: Keller, Aaron <AaronKeller@flhsmv.gov>
Sent: Friday, May 27, 2022 3:09 PM
To: Mahon, Jason <Jason.Mahon@eog.myflorida.com>
Subject: FW: National Emergency Declaration 5-23-2022 Baby Formula

FYI

Aaron Keller
Director of Communications
Florida Department of Highway Safety and Motor Vehicles
2900 Apalachee Pkwy, Tallahassee, FL 32399
Office (850) 617-2373

From: Dixon, Jeffrey <JeffreyDixon@flhsmv.gov>
Sent: Friday, May 27, 2022 1:35 PM
To: Browning, Tod <TodBrowning@flhsmv.gov>; CVE-Agents <CVE-Agents@flhsmv.gov>; FHP-Sworn-Mail <FHP-Sworn-Mail@flhsmv.gov>; Frederick, Richie <RichieFrederick@flhsmv.gov>; Kelleher, Jessica <JessicaKelleher@flhsmv.gov>; Keller, Aaron <AaronKeller@flhsmv.gov>; Kynoch, Robert

<RobertKynoch@flhsmv.gov>; Langston, Jennifer <JenniferLangston@flhsmv.gov>; Levenstein, Jay <JayLevenstein@flhsmv.gov>; Rhodes, Terry <TerryRhodes@flhsmv.gov>; Utt, Christie <ChristieUtt@flhsmv.gov>; Zaleski, Eileen <EileenZaleski@flhsmv.gov>

Cc: Murphy, Pat <PatMurphy@flhsmv.gov>

Subject: National Emergency Declaration 5-23-2022 Baby Formula

Importance: High

CVE Troops – All others FYSA

On May 23, 2022, FMCSA issued Regional Emergency Declaration 2022-005, declaring that an emergency exists that warrants issuance of a Regional Emergency Declaration for all four FMCSA regional service centers in response to product recall and unplanned closure of a key manufacturing facility of baby formula. This Emergency Declaration addresses nationwide emergency conditions creating a need for immediate transportation of baby formula, ingredients for the production of baby formula including but not limited to whey, casein, corn syrup and hydrolyzed protein, and containers and packaging for baby formula, and provides necessary relief.

This Emergency Declaration is effective from May 23, 2022, and shall remain in effect until the end of the emergency (as defined in 49 CFR § 390.5T) or until 11:59 P.M. (ET), June 30, 2022, whichever is earlier. FMCSA intends to continually review the status of this Emergency Declaration and may take action to extend, modify or terminate the Emergency Declaration if conditions warrant.

Emergency Declaration Restrictions & Conditions

By execution of Emergency Declaration No. 2022-005, motor carriers and drivers providing direct assistance to the nationwide emergency are granted emergency relief from 49 CFR § 395.3, maximum driving time for property-carrying vehicles, subject to the following restrictions and conditions

Please review the declaration for all restrictions and conditions and conduct enforcement activities accordingly.

Emergency Declarations, Waivers, Exemptions and Permits

<https://www.fmcsa.dot.gov/emergency-declarations>

FAQs are attached or can be found here;

<https://www.fmcsa.dot.gov/emergency/faqs-regarding-regional-emergency-declaration-baby-formula-05-23-2022>

If you have any questions, please consult your chain of command – TY and be safe!

Jeff

*Chief Jeffrey S. Dixon
Florida Highway Patrol
Office of Commercial Vehicle Enforcement
2900 Apalachee Parkway MS-43
Tallahassee, Florida 32399
Office: 850.617.2377
Cellular 850.251.0900
JeffreyDixon@flhsmv.gov
www.flhsmv.gov/fhp*





**Federal Motor Carrier
Safety Administration**

May 23, 2022

**REGIONAL EMERGENCY DECLARATION
UNDER 49 CFR § 390.23
No. 2022-005**

THE FIFTY UNITED STATES OF AMERICA AND THE DISTRICT OF COLUMBIA

In accordance with the provisions of 49 CFR § 390.23, the U.S. Department of Transportation (USDOT), Federal Motor Carrier Safety Administration's (FMCSA) hereby declares that an emergency exists that warrants issuance of a Regional Emergency Declaration for all four FMCSA regional service centers, and an exemption from certain regulatory requirements in Part 395 of the Federal Motor Carrier Safety (FMCSRs), except as otherwise restricted in this Emergency Declaration. Such emergency is in response to product recall and unplanned closure of a key manufacturing facility of baby formula, an essential supply. On May 18, 2022, the President of the United States invoked the Defense Production Act to increase baby formula production and requiring suppliers to direct ingredients to baby formula manufacturers as a priority. This Emergency Declaration addresses nationwide emergency conditions creating a need for immediate transportation of baby formula, ingredients for the production of baby formula including but not limited to whey, casein, corn syrup and hydrolyzed protein, and containers and packaging for baby formula, and provides necessary relief.

By execution of this Emergency Declaration, motor carriers and drivers providing direct assistance to the emergency in direct support of relief efforts related to the emergency as set out in this declaration are granted relief from 49 CFR § 395.3, maximum driving time for property-carrying vehicles, subject to the restrictions and conditions set forth herein. Direct assistance does not include routine commercial deliveries, including mixed loads with a nominal quantity of qualifying emergency relief added to obtain the benefits of this emergency declaration. To be eligible for relief from 49 CFR § 395.3, the transportation must be incident to the immediate restoration of baby formula supplies.¹

Emergency Declaration Restrictions & Conditions

By execution of this Emergency Declaration No. 2022-005, motor carriers and drivers providing direct assistance to the nationwide emergency are granted emergency relief from 49 CFR § 395.3, maximum driving time for property-carrying vehicles, subject to the following restrictions and conditions:

1. Nothing in this Emergency Declaration shall be construed as a waiver of or exemption from any applicable requirements or any portion of the FMCSRs or other regulations for which relief is not specifically granted herein.

¹ This Emergency Declaration No. 2022-005 is posted at <https://www.fmcsa.dot.gov/emergency-declarations>.

2. Motor carriers or drivers currently subject to an out-of-service order are not eligible for the relief granted by this Emergency Declaration until they have met the applicable conditions for its rescission and the order has been rescinded in writing by the issuing jurisdiction.

3. This Emergency Declaration provides for regulatory relief from 49 CFR § 395.3 for commercial motor vehicle operations while providing direct assistance supporting emergency relief efforts. Direct assistance terminates when a driver or commercial motor vehicle is used in interstate commerce to transport cargo or provide services that are not in support of emergency relief efforts related to the emergency as set forth in this Emergency Declaration, or when the motor carrier dispatches a driver or commercial motor vehicle to another location to begin operations in commerce. (49 CFR § 390.23(b)). Upon termination of direct assistance to emergency relief efforts related to the emergency as set forth in this Emergency Declaration, the motor carrier and driver are subject to the requirements of 49 CFR § 395.3 while operating commercial motor vehicles, except that a driver may return empty to the motor carrier's terminal or the driver's normal work reporting location without complying with 49 CFR § 395.3, except as noted herein. When a driver is moving from emergency relief efforts to normal operations, a 10-hour break is required when the total time a driver is engaged in emergency relief efforts, or in a combination of emergency relief and normal operations, equals 14 hours.

In accordance with 49 CFR § 390.23, this Emergency Declaration is effective immediately and shall remain in effect until the end of the emergency (*as defined in 49 CFR § 390.5T*) or until 11:59 P.M. (ET), June 30, 2022, whichever is earlier. FMCSA intends to continually review the status of this Emergency Declaration and may take action to extend, modify or terminate the Emergency Declaration if conditions warrant.



Robin Hutcheson
Deputy Administrator

FAQs Regarding: Regional Emergency Declaration - Baby Formula - 05-23-2022

1. **Question:** Does the Emergency Declaration cover all 50 states and the District of Columbia?

Answer: Yes.

2. **Question:** Why is this Emergency Declaration being issued now?

Answer: The Department of Transportation wants to ensure the transportation mechanisms are in place to allow for the shipment of baby formula and its ingredients to manufacturers, distributors, and stores.

3. **Question:** Was there authority already in place for FMCSA to grant emergency relief from hours of service?

Answer: Yes. Baby formula was included in the COVID-19 Emergency Declaration that allowed for Hours of Service waivers for drivers transporting the finished product of baby formula. Today's emergency declaration clarifies that for both baby formula and the other ingredients for production, such as corn syrup, casein, hydrolyzed protein, or whey, hours of service requirements are temporarily waived for motor carriers transporting such items.

From: Kelly, Alex [Alex.Kelly@eog.myflorida.com]
Sent: Friday, May 27, 2022 3:21 PM
To: Eagle, Dane [Dane.Eagle@deo.myflorida.com]; Ivey, Meredith [Meredith.Ivey@deo.myflorida.com]; Adler, Marc [Madler@enterprise-florida.com]; Mimbs, Brian [bmimbs@enterprise-florida.com]
Subject: Fwd: National Emergency Declaration 5-23-2022 Baby Formula
Attachments: image001.png; Regional Emergency Declaration - Baby Formula - 05-23-2022.pdf; FAQs Regarding- Regional Emergency Declaration - Baby Formula - 05-23-2022.pdf

Sent from my iPhone

Begin forwarded message:

From: "Mahon, Jason" <Jason.Mahon@eog.myflorida.com>
Date: May 27, 2022 at 2:19:02 PM CDT
To: _Press <_Press@eog.myflorida.com>, "Redshaw, Caroline" <Caroline.Redshaw@eog.myflorida.com>, _Leadership Team <_LeadershipTeam@eog.myflorida.com>
Subject: Fwd: National Emergency Declaration 5-23-2022 Baby Formula

FYI

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From: Keller, Aaron <AaronKeller@flhsmv.gov>
Sent: Friday, May 27, 2022 3:09 PM
To: Mahon, Jason <Jason.Mahon@eog.myflorida.com>
Subject: FW: National Emergency Declaration 5-23-2022 Baby Formula

FYI

Aaron Keller
Director of Communications
Florida Department of Highway Safety and Motor Vehicles
2900 Apalachee Pkwy, Tallahassee, FL 32399
Office (850) 617-2373

From: Dixon, Jeffrey <JeffreyDixon@flhsmv.gov>
Sent: Friday, May 27, 2022 1:35 PM
To: Browning, Tod <TodBrowning@flhsmv.gov>; CVE-Agents <CVE-Agents@flhsmv.gov>; FHP-Sworn-Mail <FHP-Sworn-Mail@flhsmv.gov>; Frederick, Richie <RichieFrederick@flhsmv.gov>; Kelleher, Jessica <JessicaKelleher@flhsmv.gov>; Keller, Aaron <AaronKeller@flhsmv.gov>; Kynoch, Robert

<RobertKynoch@flhsmv.gov>; Langston, Jennifer <JenniferLangston@flhsmv.gov>; Levenstein, Jay <JayLevenstein@flhsmv.gov>; Rhodes, Terry <TerryRhodes@flhsmv.gov>; Utt, Christie <ChristieUtt@flhsmv.gov>; Zaleski, Eileen <EileenZaleski@flhsmv.gov>

Cc: Murphy, Pat <PatMurphy@flhsmv.gov>

Subject: National Emergency Declaration 5-23-2022 Baby Formula

Importance: High

CVE Troops – All others FYSA

On May 23, 2022, FMCSA issued Regional Emergency Declaration 2022-005, declaring that an emergency exists that warrants issuance of a Regional Emergency Declaration for all four FMCSA regional service centers in response to product recall and unplanned closure of a key manufacturing facility of baby formula. This Emergency Declaration addresses nationwide emergency conditions creating a need for immediate transportation of baby formula, ingredients for the production of baby formula including but not limited to whey, casein, corn syrup and hydrolyzed protein, and containers and packaging for baby formula, and provides necessary relief.

This Emergency Declaration is effective from May 23, 2022, and shall remain in effect until the end of the emergency (as defined in 49 CFR § 390.5T) or until 11:59 P.M. (ET), June 30, 2022, whichever is earlier. FMCSA intends to continually review the status of this Emergency Declaration and may take action to extend, modify or terminate the Emergency Declaration if conditions warrant.

Emergency Declaration Restrictions & Conditions

By execution of Emergency Declaration No. 2022-005, motor carriers and drivers providing direct assistance to the nationwide emergency are granted emergency relief from 49 CFR § 395.3, maximum driving time for property-carrying vehicles, subject to the following restrictions and conditions

Please review the declaration for all restrictions and conditions and conduct enforcement activities accordingly.

Emergency Declarations, Waivers, Exemptions and Permits

<https://www.fmcsa.dot.gov/emergency-declarations>

FAQs are attached or can be found here;

<https://www.fmcsa.dot.gov/emergency/faqs-regarding-regional-emergency-declaration-baby-formula-05-23-2022>

If you have any questions, please consult your chain of command – TY and be safe!

Jeff

*Chief Jeffrey S. Dixon
Florida Highway Patrol
Office of Commercial Vehicle Enforcement
2900 Apalachee Parkway MS-43
Tallahassee, Florida 32399
Office: 850.617.2377
Cellular 850.251.0900
JeffreyDixon@flhsmv.gov
www.flhsmv.gov/fhp*





**Federal Motor Carrier
Safety Administration**

May 23, 2022

**REGIONAL EMERGENCY DECLARATION
UNDER 49 CFR § 390.23
No. 2022-005**

THE FIFTY UNITED STATES OF AMERICA AND THE DISTRICT OF COLUMBIA

In accordance with the provisions of 49 CFR § 390.23, the U.S. Department of Transportation (USDOT), Federal Motor Carrier Safety Administration's (FMCSA) hereby declares that an emergency exists that warrants issuance of a Regional Emergency Declaration for all four FMCSA regional service centers, and an exemption from certain regulatory requirements in Part 395 of the Federal Motor Carrier Safety (FMCSRs), except as otherwise restricted in this Emergency Declaration. Such emergency is in response to product recall and unplanned closure of a key manufacturing facility of baby formula, an essential supply. On May 18, 2022, the President of the United States invoked the Defense Production Act to increase baby formula production and requiring suppliers to direct ingredients to baby formula manufacturers as a priority. This Emergency Declaration addresses nationwide emergency conditions creating a need for immediate transportation of baby formula, ingredients for the production of baby formula including but not limited to whey, casein, corn syrup and hydrolyzed protein, and containers and packaging for baby formula, and provides necessary relief.

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Emergency Declaration Restrictions & Conditions

By execution of this Emergency Declaration No. 2022-005, motor carriers and drivers providing direct assistance to the nationwide emergency are granted emergency relief from 49 CFR § 395.3, maximum driving time for property-carrying vehicles, subject to the following restrictions and conditions:

1. Nothing in this Emergency Declaration shall be construed as a waiver of or exemption from any applicable requirements or any portion of the FMCSRs or other regulations for which relief is not specifically granted herein.

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2. Motor carriers or drivers currently subject to an out-of-service order are not eligible for the relief granted by this Emergency Declaration until they have met the applicable conditions for its rescission and the order has been rescinded in writing by the issuing jurisdiction.

3. This Emergency Declaration provides for regulatory relief from 49 CFR § 395.3 for commercial motor vehicle operations while providing direct assistance supporting emergency relief efforts. Direct assistance terminates when a driver or commercial motor vehicle is used in interstate commerce to transport cargo or provide services that are not in support of emergency relief efforts related to the emergency as set forth in this Emergency Declaration, or when the motor carrier dispatches a driver or commercial motor vehicle to another location to begin operations in commerce. (49 CFR § 390.23(b)). Upon termination of direct assistance to emergency relief efforts related to the emergency as set forth in this Emergency Declaration, the motor carrier and driver are subject to the requirements of 49 CFR § 395.3 while operating commercial motor vehicles, except that a driver may return empty to the motor carrier's terminal or the driver's normal work reporting location without complying with 49 CFR § 395.3, except as noted herein. When a driver is moving from emergency relief efforts to normal operations, a 10-hour break is required when the total time a driver is engaged in emergency relief efforts, or in a combination of emergency relief and normal operations, equals 14 hours.

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Robin Hutcheson
Deputy Administrator

FAQs Regarding: Regional Emergency Declaration - Baby Formula - 05-23-2022

1. **Question:** Does the Emergency Declaration cover all 50 states and the District of Columbia?

Answer: Yes.

2. **Question:** Why is this Emergency Declaration being issued now?

Answer: The Department of Transportation wants to ensure the transportation mechanisms are in place to allow for the shipment of baby formula and its ingredients to manufacturers, distributors, and stores.

3. **Question:** Was there authority already in place for FMCSA to grant emergency relief from hours of service?

Answer: Yes. Baby formula was included in the COVID-19 Emergency Declaration that allowed for Hours of Service waivers for drivers transporting the finished product of baby formula. Today's emergency declaration clarifies that for both baby formula and the other ingredients for production, such as corn syrup, casein, hydrolyzed protein, or whey, hours of service requirements are temporarily waived for motor carriers transporting such items.

From: Kelly, Alex [Alex.Kelly@eog.myflorida.com]
Sent: Tuesday, May 31, 2022 5:20 PM
To: Eagle, Dane [Dane.Eagle@deo.myflorida.com]; Ivey, Meredith [Meredith.Ivey@deo.myflorida.com]
Subject: FW: FL

FYI

J. Alex Kelly
Deputy Chief of Staff
Executive Office of the Governor
(850) 443-8626
alex.kelly@eog.myflorida.com

From: J Alex Kelly <jalexkelly76@gmail.com>
Sent: Tuesday, May 24, 2022 8:19 AM
To: Kelly, Alex <Alex.Kelly@eog.myflorida.com>
Subject: Fwd: FL

J. Alex Kelly
850.443.8626
[linkedin.com/in/thejalexkelly](https://www.linkedin.com/in/thejalexkelly)

Begin forwarded message:

From: "D'Arcy, Ken" <Ken.Darcy@remarms.com>
Date: May 20, 2022 at 5:56:31 PM EDT
To: Marc Adler
Subject: FL

Hi Mark,

First, thank you and the entire Florida team for your assistance and support.

Second, I understand your push to get a resolution on this. However, this is not something I'm willing to enter into without full awareness of what I may be committing the company to. This is not a short term commitment but one that will last for decades. I have a number of major concerns/hurdles to get over before tying the company to a lifelong home in Florida.

Of primary concern is the workforce. It's fine to talk about the 3,200 people enrolled in the school, the school that has yet to launch this program. Keep in mind, these are not yet active students and while they may be in the workforce when we come there, they will be fresh out of school with no experience. Is there a strong workforce in the area to support a company like Remington? Are we able to get the best of the best plant manager, maintenance manager, line supervisors, HR, cost accountants, environment &

safety officer, compliance manager, to mention only a few. I already know, only 6.5% of the workforce is in the Manufacturing Sector, this is extremely low for a company like Remington to consider this as an adequate work force.

In normal circumstances, the workforce, or in this case lack of workforce, would disqualify FL. However, I like what I heard so much I'm reviewing the numerous other areas before coming to a final decision.

I know all from Florida are looking for a positive response and essentially a win. For me, the only win must be RemArms. The greatest production facility and the best backing does absolutely nothing if there isn't a long line of people wanting to work there.

We will continue to evaluate and give you our final decision as quickly as possible. You should take this as a positive, we are very interested and want to be certain whatever we do, is the best choice for RemArms.

Regards,
Ken



Ken D'Arcy | Chief Executive Officer
RemArms LLC
14 Hoefler Ave, Ilion, NY 13357
ken.darcy@remarms.com

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From: /O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=E1B65E53BD4B4E65B15DBF19FA0CDD50-KELLY, ALEX

Sent: Tuesday, May 31, 2022 5:27 PM

To: Eagle, Dane [Dane.Eagle@deo.myflorida.com]; Meredith Ivey [Meredith.Ivey@deo.myflorida.com]

Subject: FW: DC: If Schools Don't Let Boys Into Girls' Bathrooms, Biden Will Take Their Lunch Money

From: Kelly, Alex

Sent: Tuesday, May 31, 2022 6:47 AM

To: Newman, Ryan <Ryan.Newman@eog.myflorida.com>; Spencer, Chris <Chris.Spencer@LASPBS.STATE.FL.US>; Fenske, Taryn M. <Taryn.M.Fenske@eog.myflorida.com>; Treadwell, Ray <Ray.Treadwell@eog.myflorida.com>; Strickland, Katie <Katie.Strickland@eog.myflorida.com>; Cecil, Shelby <Shelby.Cecil@LASPBS.STATE.FL.US>

Cc: Mahon, Jason <Jason.Mahon@eog.myflorida.com>

Subject: FW: DC: If Schools Don't Let Boys Into Girls' Bathrooms, Biden Will Take Their Lunch Money

DOE researched and provided the following additional insights.

One thing to note is that this doesn't seem limited to USDA's food and nutrition program. This appears to be broad across much, if not all, of federal education-related programs, albeit rule US DOE language is not published yet. It just looks like food and nutrition is making headlines, because USDA openly commented on the intent, before any US DOE rule language has been made public. And the way US DOE's spokesperson spoke about it, it's also probably not limited to education.

There's a potentially drastically significant couple compounding factors here, specifically regarding food and nutrition:

- It's believed that food prices will increase again by Fall 2022: [click here](#); and
- The food and nutrition program already operates at elevated costs, because USDA imposes very strict food packaging and handling requirements.

J. Alex Kelly

Deputy Chief of Staff

Executive Office of the Governor

(850) 443-8626

alex.kelly@eog.myflorida.com

From: Kamoutsas, Anastasios <Anastasios.Kamoutsas@fldoe.org>

Sent: Monday, May 30, 2022 6:56 PM

To: Kelly, Alex <Alex.Kelly@eog.myflorida.com>; Oliva, Jacob <Jacob.Oliva@fldoe.org>; Pridgeon, Suzanne <Suzanne.Pridgeon@fldoe.org>

Cc: Cecil, Shelby <Shelby.Cecil@LASPBS.STATE.FL.US>; Boam, Austin

<Austin.Boam@LASPBS.STATE.FL.US>; Mahon, Jason <Jason.Mahon@eog.myflorida.com>

Subject: RE: DC: If Schools Don't Let Boys Into Girls' Bathrooms, Biden Will Take Their Lunch Money

Alex,

Per the above below, “[a] U.S. Department of Education spokesman told the news outlet there will be press releases from several agencies within the Biden administration announcing this policy, followed by formal rulemaking in June.”

<https://www1.cbn.com/cbnnews/us/2022/may/biden-admin-threatens-to-take-away-lunch-money-for-kids-if-schools-dont-allow-boys-in-girls-restrooms>

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https://www.reginfo.gov/public/jsp/EO/eoDashboard.myjsp?agency_cd=0500&agency_nm=USDA&stage_cd=2&from_page=index.jsp&sub_index=0

It was there I discovered a “proposed rule” under the Education Department titled: “[Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance](#).” This appears to be the proposed rule in question. When you click on the hyperlinked title, you will be directed to a Spring 2021 and a Fall 2021 link. Under the Spring 2021 link, Notice for Proposed Rulemaking was anticipated in April of 2022. According to the Fall 2021 link, Notice for Proposed Rulemaking was expected in May 2022. There is no draft rule attached to either link. I also searched the Federal Registrar and could not find a draft of a proposed rule. At this time, I do not believe that formal rulemaking has started but will make sure to monitor and report back.

Please advise if there is anything else you need in the interim.

Thanks,

Anastasios Kamoutsas
Interim Chief of Staff
General Counsel
Florida Department of Education

From: Kelly, Alex <Alex.Kelly@eog.myflorida.com>

Sent: Monday, May 30, 2022 4:35 PM

To: Kamoutsas, Anastasios <Anastasios.Kamoutsas@fldoe.org>; Oliva, Jacob <Jacob.Oliva@fldoe.org>; Pridgeon, Suzanne <Suzanne.Pridgeon@fldoe.org>

Cc: Cecil, Shelby <Shelby.Cecil@LASPBS.STATE.FL.US>; Boam, Austin

<Austin.Boam@LASPBS.STATE.FL.US>; Mahon, Jason <Jason.Mahon@eog.myflorida.com>

Subject: FW: DC: If Schools Don't Let Boys Into Girls' Bathrooms, Biden Will Take Their Lunch Money

Team DOE, see the article below and also <https://thefederalist.com/2022/05/25/biden-admin-k-12-schools-must-put-boys-in-girls-bathrooms-to-get-federal-lunch-money/>.

Need to discuss what you're hearing about this? Is this something going through rule development or is this being implemented without, and when does this start?

J. Alex Kelly
Deputy Chief of Staff
Executive Office of the Governor
(850) 443-8626
alex.kelly@eog.myflorida.com

From: Newman, Ryan <Ryan.Newman@eog.myflorida.com>
Sent: Friday, May 27, 2022 1:39 PM
To: Kelly, Alex <Alex.Kelly@eog.myflorida.com>
Subject: FW: DC: If Schools Don't Let Boys Into Girls' Bathrooms, Biden Will Take Their Lunch Money

Ryan D. Newman
General Counsel
Office of Governor Ron DeSantis
(850) 717-9368

From: News Alerts <NewsAlerts@eog.myflorida.com>
Sent: Friday, May 27, 2022 11:50 AM
Subject: DC: If Schools Don't Let Boys Into Girls' Bathrooms, Biden Will Take Their Lunch Money

[If Schools Don't Let Boys Into Girls' Bathrooms, Biden Will Take Their Lunch Money](#)

Daily Caller
Laurel Duggan
May 25, 2022

The Biden administration will require schools that receive federal funding for lunches to enforce its ban on discrimination on the basis of gender identity and let biological males into girls' bathrooms.

All state and local agencies that receive Food and Nutrition Service (FNS) funding, including schools, will have to update their non-discrimination policies to include protections for gender identity and must investigate any allegations of discrimination on the basis of gender identity, according to a May 5 U.S. Department of Agriculture (USDA) announcement. Obama-era guidance interpreting Title IX of the Education Amendments of 1972 to prohibit gender-identity discrimination stated that transgender students must be allowed to use the restroom, locker room and shower facility that matches their gender identity.

"Under the leadership of the Biden-Harris Administration, USDA and FNS are issuing this interpretation to help ensure its programs are open, accessible and help promote food and nutrition security, regardless of demographics," the announcement read.

FNS funding supports food security programs for the poor such as federally subsidized school lunches and the Supplemental Nutrition Assistance Program (SNAP) program, also known as food stamps.

The USDA is interpreting the ban on sex-based discrimination in Title IX of the Education Amendments to include gender identity rather than just biological sex, according to the USDA announcement. The move is in line with Biden's executive order banning discrimination on the basis of gender identity.

The move is part of a broader push from the Biden administration to promote transgender rights and gender ideology through guidance to federal bureaucracies and reinterpretation of civil rights laws. (RELATED: POLL: Americans Overwhelmingly Reject Biden's Stance On Sex Changes For Kids)

"Whether you are grocery shopping, standing in line at the school cafeteria, or picking up food from a food bank, you should be able to do so without fear of discrimination," said Food, Nutrition, and Consumer Services Deputy Under Secretary Stacy Dean, according to the announcement. "No one should be denied access to nutritious food simply because of who they are or how they identify."

The USDA and the White House did not respond to The Daily Caller News Foundation's request for comment.

Please note that under Florida law correspondence sent to the Governor's Office, which is not confidential or exempt pursuant to chapter 119 of the Florida Statutes, is a public record made available upon request.

From: Kelly, Alex [Alex.Kelly@eog.myflorida.com]
Sent: Tuesday, May 31, 2022 6:00 PM
To: Eagle, Dane [Dane.Eagle@deo.myflorida.com]; Ivey, Meredith [Meredith.Ivey@deo.myflorida.com]
Subject: FW: DC: If Schools Don't Let Boys Into Girls' Bathrooms, Biden Will Take Their Lunch Money

From: Kelly, Alex
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To: Newman, Ryan <Ryan.Newman@eog.myflorida.com>; Spencer, Chris <Chris.Spencer@LASPBS.STATE.FL.US>; Fenske, Taryn M. <Taryn.M.Fenske@eog.myflorida.com>; Treadwell, Ray <Ray.Treadwell@eog.myflorida.com>; Strickland, Katie <Katie.Strickland@eog.myflorida.com>; Cecil, Shelby <Shelby.Cecil@LASPBS.STATE.FL.US>
Cc: Mahon, Jason <Jason.Mahon@eog.myflorida.com>
Subject: FW: DC: If Schools Don't Let Boys Into Girls' Bathrooms, Biden Will Take Their Lunch Money

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alex.kelly@eog.myflorida.com

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Sent: Monday, May 30, 2022 6:56 PM
To: Kelly, Alex <Alex.Kelly@eog.myflorida.com>; Oliva, Jacob <Jacob.Oliva@fldoe.org>; Pridgeon, Suzanne <Suzanne.Pridgeon@fldoe.org>
Cc: Cecil, Shelby <Shelby.Cecil@LASPBS.STATE.FL.US>; Boam, Austin <Austin.Boam@LASPBS.STATE.FL.US>; Mahon, Jason <Jason.Mahon@eog.myflorida.com>
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From: Kelly, Alex [Alex.Kelly@eog.myflorida.com]
Sent: Tuesday, June 14, 2022 7:24 AM
To: Eagle, Dane [Dane.Eagle@deo.myflorida.com]; Mahon, Jason [Jason.Mahon@eog.myflorida.com]; Ivey, Meredith [Meredith.Ivey@deo.myflorida.com]; Kelly Jefferson, Savannah [Savannah.KellyJefferson@eog.myflorida.com]
CC: Fenske, Taryn M. [Taryn.M.Fenske@eog.myflorida.com]
Subject: RE: Press Release for Review
Attachments: 6.xx.2022 CPTA Award Announcement Press Release v2.docx

Good thinking and copying in Savannah.

I think it's worth Savannah having a quick look at the list in case the Governor wants a rural county day in the next couple weeks.

Lots of good options in the attached.

And love the idea of noting Apalachicola's RIF award herein, either way.

J. Alex Kelly
Deputy Chief of Staff
Executive Office of the Governor
(850) 443-8626
alex.kelly@eog.myflorida.com

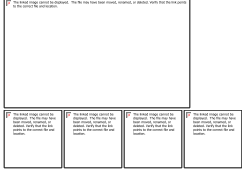
From: Eagle, Dane <Dane.Eagle@deo.myflorida.com>
Sent: Monday, June 13, 2022 10:58 AM
To: McGowan, Leigh <Leigh.McGowan@deo.myflorida.com>; Mahon, Jason <Jason.Mahon@eog.myflorida.com>; Booker, Sydney <Sydney.Booker@eog.myflorida.com>
Cc: Jones, Morgan <Morgan.jones@deo.myflorida.com>; Ivey, Meredith <Meredith.Ivey@deo.myflorida.com>; Kelly, Alex <Alex.Kelly@eog.myflorida.com>
Subject: Re: Press Release for Review

Please note the Apalachee Regional Planning Council and City of Apalachicola grants, which are a result of the Governor's recent visit / press conference in Apalachicola. We also have a RIF award for Apalachicola that is imminent. We could highlight all of these separately if desired.

--

Dane Eagle
Secretary

Florida Department of Economic Opportunity
Office: [850-245-7298](tel:850-245-7298)
www.FloridaJobs.org



From: McGowan, Leigh <Leigh.McGowan@deo.myflorida.com>
Sent: Monday, June 13, 2022 10:29:32 AM
To: Mahon, Jason <Jason.Mahon@eog.myflorida.com>; Booker, Sydney <Sydney.Booker@eog.myflorida.com>
Cc: Jones, Morgan <Morgan.Jones@deo.myflorida.com>; Ivey, Meredith <Meredith.Ivey@deo.myflorida.com>; Eagle, Dane <Dane.Eagle@deo.myflorida.com>; Kelly, Alex <Alex.Kelly@eog.myflorida.com>
Subject: Press Release for Review

Good morning –

Please see the attached press release announcing awards through the Community Planning Technical Assistance Grant program for your review.

If you have any questions or need additional information, please let us know.

Thanks,

Leigh McGowan

Press Secretary, Office of Communications and External Affairs

Florida Department of Economic Opportunity

Office: 850-245-7113

www.FloridaJobs.org



This email communication may contain confidential information protected from disclosure by privacy laws and is intended for the use of the individual named above. If the reader of this message is not the intended recipient, this is notice to you that any dissemination, distribution or copying of this communication or any attachment to it may be a violation of federal and state privacy laws. If you have received this email in error, please notify the sender immediately by return email and delete this message. Please note that Florida has a broad public records law, and that all correspondence to me via email may be subject to disclosure. Under Florida law email addresses are public records.

FOR IMMEDIATE RELEASE:

June XX, 2022

CONTACT: DEO Communications
(850) 245-7110
media@deo.myflorida.com

Governor Ron DeSantis Announces More Than \$1.3 Million in Awards for 23 Projects Through the Community Planning Technical Assistance Grant Program

Tallahassee, Fla. - Today, Governor Ron DeSantis announced more than \$1.3 million in awards for 23 projects through the Community Planning Technical Assistance (CPTA) grant program. Funding for this program is allocated by the Florida Legislature and administered by the Florida Department of Economic Opportunity (DEO).

DRAFT: “Assuring the prosperity of our state’s small and rural communities remains a priority for my administration,” **said Governor DeSantis**. “As a result of today’s awards totaling more than \$1.3 million, these communities will be able to plan for infrastructure improvements, create jobs, and strengthen their economic resiliency.”

DRAFT: “Under Governor DeSantis’ leadership, DEO continues to make valuable, strategic investments in small and rural communities across the state,” **said DEO Secretary Dane Eagle**. “We will work closely with the communities receiving awards to meet their planning needs and prepare them for future economic development opportunities.”

DEO is awarding funding to the following communities through the CPTA grant program:

- **Apalachee Regional Planning Council (\$56,000)** – to initiate a regional broadband planning project to unify and guide broadband planning and implementation efforts in Calhoun, Franklin, Gadsden, Gulf, Jackson, Jefferson, Leon, Liberty, and Wakulla counties.
- **Central Florida Regional Planning Council (\$75,000)** – to develop the Heartland Regional Resiliency Action Plan to support DeSoto, Glades, Hardee, Hendry, Highlands, Okeechobee, and Polk counties.
- **City of Apalachicola (\$75,000)** – to develop Phase 2 of the Apalachicola Bay Area of Critical State Concern Work Plan, and update the city’s local Comprehensive Plan to make required statutory changes and address resiliency changes.
- **City of Bowling Green (\$30,000)** – to develop a Downtown Master Plan and land development regulations.
- **City of DeBary (\$75,000)** – to develop a DeBary Town Center Transportation and Infrastructure Plan.
- **City of Palatka (\$30,000)** – to update the existing Historic Preservation Survey to identify additional structures that contribute to the city’s historic significance.
- **City of Sebastian (\$70,000)** – to complete a Sustainable Economic Redevelopment Plan for the city’s Riverfront Community Redevelopment Area.

- **City of Wauchula (\$12,000)** – to update the city's 10-Year Water Supply Facilities Work Plan and related Comprehensive Plan goals, objectives, and policies.
- **Columbia County (\$65,000)** – to conduct a Pre-Master Plan of the Bell Road Distribution Corridor, which has served as both a major evacuation route for southern Florida and a commercial corridor for statewide response efforts.
- **Hendry County (\$75,000)** – to update the Future Land Use Element within the county's Comprehensive Plan to address the significant growth pressures with an emphasis on community resiliency.
- **Hernando County (\$102,000)** – to conduct a broadband feasibility study for the installation and maintenance of fiber to increase internet access to underserved areas, decrease system vulnerabilities, and increase internet speeds.
- **Highlands County (\$50,000)** – to develop a county-wide facility study for tourism and recreation opportunities.
- **Levy County (\$34,700)** – to develop a Geographic Information System (GIS) database that will enable the county to publish and share information through the development of online interactive maps and dashboards.
- **Madison County (\$65,000)** – to develop a State Road 53/Interstate 10 Interchange Pre-Master Plan that includes conducting professional studies, as well as reviewing the county's existing Comprehensive Plan, ordinances, and land development codes.
- **Miami-Dade County (\$65,000)** – to update the county's Urban Design Manual to address the most current issues affecting development in the county, including affordable and workforce housing, mixed housing types, resilience, and accessibility.
- **Monroe County (\$50,000)** – to develop an adaptation and resiliency plan that outlines projects to protect Pigeon Key's historic and environmental resources.
- **Northeast Florida Regional Council (\$35,000)** – to assist with the development of the A1A Ocean Island Trail Scenic Byway Strategic Plan to address operational challenges and alignment of initiatives with Duval and Nassau counties, and to support communicating the importance of resiliency throughout the region.
- **Northeast Florida Regional Council (\$24,000)** – to assist the Town of Glen St. Mary with creating a new GIS future land use map series, and updating their Comprehensive Plan.
- **Town of Astatula (\$75,000)** – to complete a study of the town's entire water distribution system.
- **Town of Inglis (\$75,000)** – to develop a Community Action Plan, also known as an Engineering Evaluation of Inglis Dam and Inglis Bypass, to restore water flow through the Lower Withlacoochee River.
- **Town of Lantana (\$62,121)** – to complete a stormwater drainage system assessment.
- **Volusia County (\$75,000)** – to develop a draft Low Impact Development Ordinance and Guidebook for Volusia County.
- **Wakulla County (\$73,500)** – to conduct a topographic survey on roads east of United States Highway 98 from Mineral Springs South to Levy Bay Road, which will be a starting point for developing a mitigation strategy for sea-level rise and resiliency planning for flooding in the area.

About DEO

The Florida Department of Economic Opportunity combines the state's economic, workforce, and community development efforts, expediting economic development projects to fuel job creation in competitive communities and promote economic resiliency. For more information, including valuable resources for employers and job seekers, please visit www.FloridaJobs.org

###

DRAFT

From: /O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=E1B65E53BD4B4E65B15DBF19FA0CDD50-KELLY, ALEX

Sent: Wednesday, June 15, 2022 9:46 AM

To: Smith, Christina [Christina.Smith@LASPBS.STATE.FL.US]; Spencer, Chris [Chris.Spencer@LASPBS.STATE.FL.US]; Pollins, Stu [Stu.Pollins@LASPBS.STATE.FL.US]; Coyle, Frances [Frances.Coyle@LASPBS.STATE.FL.US]; Gunder, Brandi [Brandi.Gunder@LASPBS.STATE.FL.US]; Melnick, Benjamin [Benjamin.Melnick@deo.myflorida.com]; Ivey, Meredith [Meredith.Ivey@deo.myflorida.com]; Katie Smith [Katie.Smith@deo.myflorida.com]

Subject: RE: Broadband

Attachments: June 2 Draft - Florida Broadband Strategic Plan TED&AK.docx

The attached has both my comments and those of the TED unit.

I think we have some drilling down to do in the attached, to better tie it to some key themes related to economic growth. Because it's close to a moral high ground, but it's not fully connected to it.

- For example, the attached consistently uses the phrase "healthcare" which is very broad. We're interested in healthier Floridians because healthier Floridians get to school and work. We don't want this to be a "healthcare" document.
- Our applications for Broadband and Capital Projects, and the Broadband rule, are all going to point to how does a project ultimately contribute to economic growth, because of the types of information we're collecting, so the word choice should point that direction.

I think we have more than enough time to take a couple more passes at this, after today's discussion and DOE incorporates the changes from the attached. And when we get another draft, I know I'd like one more chance to wordsmith some phrases we're using.

Note though I'll likely be in the car during today's meeting, so I'll just plan on trying to dial up Meredith when the meeting starts, if I can.

J. Alex Kelly
Deputy Chief of Staff
Executive Office of the Governor
(850) 443-8626
alex.kelly@eog.myflorida.com

-----Original Appointment-----

From: Elkins, Michelle <Michelle.Elkins@LASPBS.STATE.FL.US>

Sent: Thursday, June 9, 2022 2:06 PM

To: Elkins, Michelle; Smith, Christina; Spencer, Chris; Pollins, Stu; Coyle, Frances; Gunder, Brandi; Kelly, Alex; Blewett, Jack; Melnick, Benjamin; Ivey, Meredith; Katie Smith

Subject: Broadband

When: Wednesday, June 15, 2022 3:00 PM-3:30 PM (UTC-05:00) Eastern Time (US & Canada).

Where: Capitol- 1702

Florida Department of Economic Opportunity

THE FLORIDA STRATEGIC PLAN FOR BROADBAND

Broadband Internet Infrastructure Strategies
for a Connected Economy to Support Workforce
Development, Education, and Healthcare.



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Overview

Executive Summary: The Florida Legislature directed the Florida Department of Economic Opportunity's (DEO or Department) Office of Broadband to develop a strategic plan to guide the State of Florida in broadband Internet expansion and improvement. Under the leadership of the Governor, the Department has undertaken this task with coordination, input, participation, and support from partners and Floridians across the state. This document lays out the vision of the Office of Broadband, the elements and steps of the strategic plan, the roles for state and local stakeholders, and the strategies to undertake as Florida works toward the expansion of broadband Internet.

Vision: DEO's mission is to assist the Governor in advancing Florida's economy by championing the state's economic development vision and by administering state and federal programs and initiatives to help visitors, citizens, businesses, and communities. DEO's role is to holistically focus on the state's workforce, economy, and community development. This is accomplished by strengthening the connections and partnerships between workforce investments, economic development, and strong communities.

DEO's Office of Broadband works with local and state government agencies, community organizations, and private businesses to increase the availability and effectiveness of broadband Internet throughout the state, specifically in small and rural communities. Through these partnerships, Florida will be a national leader in broadband Internet connectivity, infrastructure, and utilization to enhance workforce viability, education opportunities, and telehealth initiatives.

Florida's Strategic Plan for Broadband represents the commitment the state is making to all Floridians to ensure broadband internet is available for education to support schools and workforce growth, telehealth to support citizens and medical practitioners, and infrastructure expansion to support resiliency and future connectivity.

Intent and Format of this Strategic Plan: The vision comports with legislative findings in the Florida Broadband Deployment Act of 2021, ("2021 Act"; Ch. 24, 2021 Fla. Laws, codified at §§ 288.9961-288.9963, Fla. Stat.) "that the sustainable adoption of broadband Internet service is critical to the economic and business development of this state and is essential for all residents of this state, libraries, schools, colleges and universities, health care providers, and community organizations" (§ 288.9961(1), Fla. Stat.).

This Strategic Plan provides guidance for state decision makers about investments for the provision of high-speed, reliable broadband Internet service access to all Florida communities in support of telemedicine, education opportunities, workforce development, and community development. To

that end, Florida will pursue its goal of expanding the availability as well as the adoption and use of broadband Internet to unserved and underserved communities by identifying and leveraging funding opportunities and partnerships.¹

This Strategic Plan provides a linear three-step approach to fully realize broadband Internet connectivity for economic growth. A connected economy which stems from and fuels workforce development, health care, and education will create economic growth. The three-step approach is focused on building a connected economy where availability, adoption, and use of digital content provide the three steps to expanding and enhancing broadband Internet in Florida.

Accountability is the foundation for success of the three steps: availability, adoption, and use of digital content. An initiative without accountability, however well-intentioned it is, lacks longevity and the ability to meaningfully impact the lives of the Floridians who need it most. As such, all three steps build linearly to ensure a connected economy is supported by, and stands firmly upon, accountability, which is specifically addressed in Strategies 21 and 22.

3 steps to a Connected Economy



The three steps of Availability, Adoption, and Use, lead to a Connected Economy supporting development of Workforce, Education, and Health Care, and each step must be undertaken with a high level of Accountability.

¹ “Unserved” in the 2021 Act means an area of the state where there is no provider of broadband Internet service having speeds over 25/3 Mbps. “Underserved” in the 2021 Act means an area of the state where there is no provider of broadband Internet service at speeds over 100/10 Mbps.

Creating a Connected Economy: Availability, Adoption, and Use

A connected economy is one that leverages broadband Internet services and infrastructure in order to fully participate in and utilize opportunities of workforce development, healthcare, and education. As broadband Internet continues to play a pivotal role in accessing and utilizing services and components in each of these priorities, a connected economy is critical in economic development and growth.

The three steps to creating a connected economy are availability, adoption, and use. Each step builds from the previous. There won't be broadband internet *use* without adoption of broadband internet service, and it cannot be *adopted* if it is not *available*. Availability, adoption, and the use of broadband Internet services throughout Florida will allow the state's residents to reap benefits from a connected economy that fuels advancements and allows more Floridians to fully partake in available workforce, education, and healthcare opportunities. This Strategic Plan will help Florida reduce the digital divide² that exists between areas that are fully equipped to realize the benefits of broadband Internet service and those that are not. Florida's diversity dictates the use of various methods, technologies, and configurations to ensure connectivity in a manner best suited to resident needs. This Strategic Plan is a guide to systematically ensure the workforce, education, and healthcare sectors, as a whole, are strengthened.

Step One: AVAILABILITY is a precondition for connecting to the Internet. While this is a crucial first-step, the availability of a connection alone does not guarantee Internet use, nor does availability of a connection guarantee adequate service. Need and ability must coalesce to create use. The need for broadband Internet is widespread and varied, and the ability is similarly situated. Together these rely on availability and will make no progress without available broadband Internet at reliable speeds. If broadband Internet is not reliably at sufficient speeds, it is nearly the same as being entirely unavailable. When asked during workshops held in 2021, which barriers existed to accessing broadband Internet service, reliability of service was the dominant factor followed by cost. Participants' responses were somewhat different in rural and urban counties: "In rural areas, important factors discussed were reliability, provider presence, technology, and cost. Participants representing urban areas focused on reliability, cost, and speed. Urban areas with economically challenged populations placed more importance on cost and provider presence" (DEO, 2021b, p. 17). Increasing availability of broadband Internet is itself a worthwhile endeavor and part of the goal of the Office of Broadband. Creating infrastructure today which can be leveraged tomorrow is critical to continued economic growth and a sustained connected economy.

² The gap between people who have access to broadband Internet services, have adopted it, and know how to use digital content (digital literacy), and those who do not.

Step Two: ADOPTION occurs when consumers subscribe to high-speed Internet services. Once subscribed to a broadband Internet service, “end users” typically obtain services through the use of computers, tablets, and smartphones. Adoption has been growing in recent years. There are ever increasing components of everyday life requiring connectivity, as well as a growing multitude of methods and tools to connect to a service. Adoption is the second step in growing a connected economy to ultimately benefit the lives of Floridians; however, adoption by itself is not sufficient to promote a connected economy and the resulting economic growth. Adoption of broadband Internet requires the next step, that of using the technology and the Internet within the connected economy.

Step Three: USE, or digital literacy in this context, may contribute to Floridians’ willingness to adopt broadband Internet services and prosper using those services, because it is the ability to use a variety of broadband Internet-enabled devices to engage in online services. One formal definition of digital literacy is “[t]he ability to leverage current technologies, such as smartphones and laptops, and Internet access to perform research, create content, and interact with the world” (National Telecommunications and Information Administration [NTIA], 2016, p. 5). Use of reliably available Internet services is the third and final step for individual Floridians to fully leverage a connected economy using broadband Internet services.

Accountability is critical component to balance this Strategic Plan; however, it is not a singular step for the citizens of Florida to undertake in the linear three-step process of creating a connected economy. Rather, it is the responsibility of the Office of Broadband to ensure the process of providing available, adoptable, and usable broadband Internet service is accountably conducted. Accountability is therefore part of each step while also being a precursor and a follow-up in all aspects of creating the connected economy.

How Do We Link Availability, Adoption, and Use to Create a Connected Economy?

This Strategic Plan recognizes the importance of a connected economy for economic growth and community development. Implementing the Strategic Plan will involve a unified effort involving state and local governments, providers, and key stakeholders. These important partnerships will ensure that success realized from expanded broadband Internet infrastructure will contribute to vibrant economic growth. This Strategic Plan has outlined the three-step linear process with the end goal of increasing availability of broadband Internet services so that it can be adopted and used today as well as providing scalability to accept new adoption and use, allowing future economic growth.

Adoption Must be Sustainable

The 2021 Act underscores the importance of “sustainable adoption” of broadband Internet service. This phrase has a specific meaning in the statute and refers to “the ability for communications service providers to offer broadband services in all areas of this state by encouraging adoption and use levels that allow for these services to be offered in the free market absent the need for governmental subsidy” (§ 288.9961(2)(e), Fla. Stat.). Thus, the long-term goal is persistent consumer demand and easy access to broadband Internet services without subsidies.

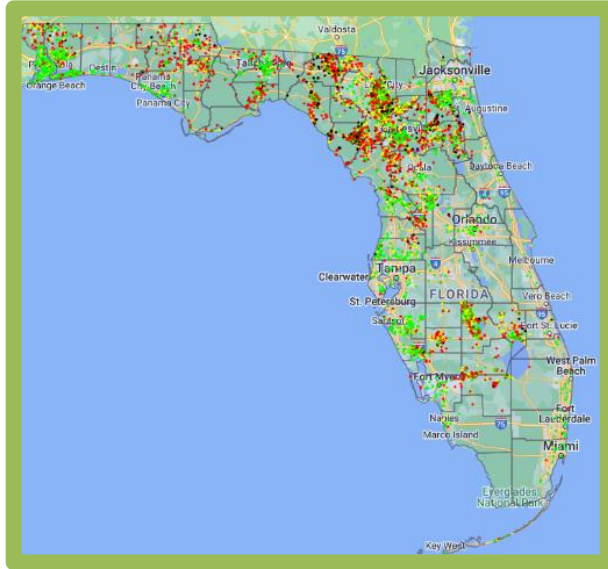
The Role of Florida’s Communities

At its heart, this Strategic Plan is a community-based approach to ensure service needs are identified and met in unserved and underserved areas. The three steps to building a connected economy — availability, adoption, and use — support Florida’s resiliency only if Florida’s communities assume primary responsibility for contributing to this effort. In this way, Florida communities share the underlying theme of accountability with the Office of Broadband.

What are the communities' roles, and what must they decide?

- P**ARTNER WITH STAKEHOLDERS: *Who will their partners be?*
- P**LAN FOR BROADBAND INTERNET DEPLOYMENT: *What information and other data will partners need?*
- P**AY FOR BROADBAND INTERNET DEPLOYMENT: *What funds will be used?*
- P**ROVIDE FOR BROADBAND INTERNET DEPLOYMENT: *Who will build and provide these services?*
- P**PROMOTE ADOPTION AND USE: *How will this be done?*

The Role of the State



The state has a leadership role in accountably ensuring that broadband Internet availability, adoption, and use are sustainable in every community and rural area for a resilient Florida future. Therefore, the state will support and facilitate the actions of communities to achieve these goals. This Strategic Plan identifies how the state will support and facilitate the work communities have before them in identifying and planning how to meet their broadband Internet needs. Some of this work began before the development of this Strategic Plan, as evidenced by the creation of the office in 2020 and the further groundwork completed by the Legislature and DEO in 2021 and early 2022.

As broadband Internet is critical for many facets of economic development and an integral part of infrastructure, DEO is statutorily charged with overseeing broadband Internet expansion initiatives (§ 288.9961(3), Fla. Stat.). This charge fits within DEO's mission to assist the Governor in advancing Florida's economy by championing the state's economic development vision and by administering state and federal programs and initiatives to help visitors, citizens, businesses, and communities. DEO's role is to holistically focus on the state's workforce, economic, and community development initiatives by strengthening the connections between workforce investments, economic development, and communities.

DEO's Office of Broadband was established in July 2020 to work with local and state government agencies, community organizations, and private businesses to increase the availability and effectiveness (adoption and use) of broadband Internet throughout the state, specifically in small and rural communities. Through these partnerships, Florida aspires to be a national leader in broadband Internet connectivity, infrastructure, and utilization to enhance workforce viability, education opportunities, and telehealth initiatives.

The 2021 Act directed the Office of Broadband to complete the following tasks:

- Develop a map of broadband Internet service availability throughout the state;
- Review and verify public input regarding transmission speeds and availability of broadband Internet services throughout the state;
- Develop, market, and promote broadband Internet services in the state;
- Create a strategic plan to increase the use of broadband Internet services in the state;
- Build and facilitate Local Technology Planning Teams (LTPTs) or partnerships;
- Participate in the Federal Communications Commission (FCC) proceedings that are related to the geographic availability and deployment of broadband Internet in Florida; and
- Establish the Broadband Opportunity Program and rules for the program to award grants to applicants who seek to expand broadband Internet to unserved areas, subject to appropriations (§ 288.9961(4), Fla. Stat.).

In its first two years of existence (2020-2022), DEO's Office of Broadband began laying the groundwork for broadband Internet expansion in Florida. The first steps in this effort are documented in Appendix E.

Funding³

While maintainable, reliable adoption of broadband Internet service is the long-term goal, in some areas of the state, the cost of providing service is too high to be completely covered by customer charges—at least in the short term. The state has developed funding mechanisms and a plan to use various federal funding streams with the goal of ensuring that broadband Internet services can be deployed in Florida communities. The state will use other federal funds to support adoption and usage efforts and programs.

Each potential source of funding brings a set of guidelines that the Office of Broadband can utilize to create a robust program that interconnects separate funding sources to maximize the effectiveness of the whole. This should be done by leveraging each funding source into a primary focus and supporting activities. For example, the Capital Projects Fund may be best suited for projects directly strengthening the workforce by improving job training, community connectivity, and health and human services, while the Broadband Opportunity Program may be best suited to assist homeowners in last mile connectivity.

The Florida Legislature appropriated \$400 million from the General Revenue Fund for the Broadband Opportunity Program in Fiscal Year (FY) 2022-2023.

³ Compiled at the time of drafting this Strategic Plan; information as of June 30, 2022.

The United States Department of the Treasury (U.S. Treasury) and the National Telecommunications and Information Administration (NTIA) in the U.S. Department of Commerce are two sources of funding via federal grants to the state. Several programs authorized by the 2021 Infrastructure Investment and Jobs Act (IIJA) are to be administered by NTIA. Other programs funded through IIJA appropriations and administered by other federal agencies include: the Affordable Connectivity Program by the FCC, the Broadband Loan Program, and the Reconnect Program by the U.S. Department of Agriculture.

Through the IIJA and NTIA, each state, including Florida, will receive an initial \$100 million for the Broadband Equity, Access, and Deployment (BEAD) program, including \$5 million to support broadband Internet planning, building capacity in state broadband Internet offices, and outreach and coordination with local communities. The BEAD program will be the largest of the broadband Internet programs administered by NTIA. Priority for use of the funds is as follows:

1. Broadband Internet deployment in unserved locations (those below 25/3 Megabits per second or Mbps);⁴
2. Underserved locations (those below 100/20 Mbps); and
3. Community anchor institutions (school, library, health clinic, health center, hospital or other medical provider, public safety entity, institute of higher education, public housing organization, community support organization).

Each state is required to submit a five-year action plan for the BEAD Program to the NTIA, which must be informed through a collaboration with local and regional entities. Funding to implement the action plan will be distributed based on a formula that considers the number of unserved and high-cost locations in the state, based on data displayed on maps to be published by the FCC in 2022.

Funding in the amount of \$366 million is available to Florida through the U.S. Treasury's Capital Projects Fund. The Executive Office of the Governor, in coordination with the Florida Legislature, has discretion as to how this funding will be used. Some funding may be used for broadband Internet: "A key priority of this program is to make funding available for reliable, affordable broadband infrastructure and other digital connectivity technology projects." (United States Department of the Treasury, 2022, para. 3).

These new federal programs add to long-standing broadband Internet funding programs developed and implemented by the FCC, such as the Connect America Fund (CAF) Phase II and Rural Digital Opportunity Fund (RDOF). These programs provide price discounts for low-income households, as

⁴ Broadband speeds: Speeds are expressed with two numbers, separated by a diagonal line "/", and a designation of the amount of data, such as "100/20 Mbps." The first number represents the amount of data users receive. The second number represents the amount of data users can send. Mbps: Megabits per second refers to millions of bits of binary information—zeros and ones—that are passed in a second. Gbps: Gigabits per second refers to the number of bits in billions.

well as funding for schools and libraries, to obtain broadband Internet and other advanced communications services; rural healthcare facilities to make broadband Internet more affordable; and primarily small broadband Internet providers in rural and high-cost areas.

Broadband Internet Strategies for a Connected Economy

Introduction

Reliable broadband Internet access is necessary for economic development in a modern economy, and it is increasingly becoming as critical to basic infrastructure needs as roads, water and wastewater services, and energy. Broadband Internet plays a central role in business development, jobs, healthcare, education, and other publicly-desired services, as it is the communities' connection to future economic growth. Current lack of broadband Internet contributes to the digital divide for entire communities, and the expansion of broadband represents a tremendous opportunity particularly for rural and underserved communities across the sunshine state, including the ability to grow and recruit businesses and generate high-quality and sustainable jobs. The 2021 Act addresses the need for broadband expansion to enable availability and increased useful adoption. There are some areas of the state where Internet Service Providers (ISPs) may be unable to provide service at this time because the revenue streams from consumers are insufficient to cover the costs of traditional infrastructure deployment, ongoing operations, and maintenance to ensure reliable connectivity. In other areas of the state, broadband may be available, but customer demand may be insufficient for providers to justify upgrading the infrastructure to higher speeds.

Likewise, there are areas of the state where broadband Internet services are available, but the public does not purchase them. The 2021 Act makes it clear that public subsidies are a temporary mechanism. The desired result of the state's public policy regarding broadband is "sustainable adoption" of broadband services by all Floridians. The 2021 Act defines "sustainable adoption" in a way that acknowledges the objective of providing broadband service without a subsidy.⁵ The need is to create resilient Florida communities free to thrive in a strong connected economy.

The 2021 Act created responsibilities at both the state and local levels to facilitate the expansion of broadband Internet service and help providers make the return on investment for sustainable adoption. At the state level, DEO is accountable as the lead agency to facilitate the expansion of broadband. (§ 288.9961(3), Fla. Stat.). The 2021 Act created a collaborative process between state and local communities. Through this initiative, the relationship between the state and local communities will vary depending on the goals, capabilities, and resources of each community. In some instances, local communities will take the initiative to identify unserved areas and take steps to expand broadband Internet infrastructure and service to those areas. In other instances, local

⁵ Sustainable adoption: The ability for communications service providers to offer broadband Internet services in all areas of this state by encouraging adoption and use levels that allow for these services to be offered in the free market absent the need for governmental subsidy. (§ 288.9961(2)(e), Fla. Stat.).

communities may be less proactive, especially in fiscally constrained communities, and the state may have a more direct role in expansion initiatives. Thus, this Strategic Plan is based upon state and local entities' collaborative and complementary efforts.

The complementary but distinct roles of state and local entities described in the 2021 Act raise two fundamental questions: 1) What is the state's role in providing broadband Internet service to the public?; and 2) What are the roles of local communities in providing broadband Internet service to the public? As you will see below, these are strategized separately in Section I: Availability.

Organization Of The Strategies For Implementing This Strategic Plan

This strategic plan is presented in three sections that follow:

- I. Availability
 - A. State Role in Availability
 - B. Local Role in Availability
- II. Adoption and Use
- III. Accountability

The state of Florida prioritizes the long-term resiliency and growth of each community and Florida as a whole; therefore, adoption without use will not meet the vision or intent of this Strategic Plan. It follows that steps two (adoption) and three (use) for creating a connected economy have been combined in Section II: Adoption and Use. It is vital for the state to create an accountable program to provide Floridians with opportunities to access education, telehealth, and workforce training and engagement through broadband Internet expansion. As such, accountability encompasses the third section of the strategies for implementing this plan, discussed in Section III: Accountability.

There are strategies and action steps suggested in each Section which, when considered together, will assist the state with accomplishing its goals of increasing the availability, adoption, and use of broadband Internet throughout the state.

I. Availability

A. State Role in Availability

The 2021 Act outlines the state's lead role supporting broadband Internet expansion to all individuals and organizations:

The Legislature finds that the sustainable adoption of broadband Internet service is critical to the economic and business development of this state and is essential for

all residents of this state, libraries, schools, colleges and universities, health care providers, and community organizations. (§ 288.9961(1), Fla. Stat.).

Use of the defined term “sustainable adoption” in the findings implies that while public support may be important in the short term, the ultimate goal is for providers to be able to encourage “adoption and use levels” that allow the services to be offered without government subsidies. (§ 288.9961(2)(e), Fla. Stat.).

Two impediments to deploying broadband Internet expansion should be noted. The state’s actions alone cannot eliminate the following impediments:

1. Unserved and underserved areas are currently difficult to identify due to a lack of detailed data. To complicate matters, providers are continually scheduling, deploying, or modifying broadband Internet infrastructure projects so that no dataset will capture the status of a network perfectly. The complexities of provider deployment, lack of demand, and cost of deployment over time makes the designation of unserved and underserved areas moving targets. Furthermore, the crucial identification of unserved and underserved areas, based on federal definitions, which may be supported through the use of federal funds available when this Strategic Plan is developed, will be determined by the FCC. The FCC is expected to release its data and broadband Internet access maps in late 2022.⁶ This FCC map may not be the final guidance on area eligibility as the federal government is supposed to establish a process by which individual states can challenge the FCC’s data.
2. Federal statutory restrictions, in some instances, prevent use of funds from more than one federally funded, broadband Internet-related program in the same area.⁷ In addition to federal restrictions, Florida law prohibits the use of funding from the state’s Broadband Opportunity Program⁸ in areas where federal funds have been awarded. (§ 288.9962(8)(a), Fla. Stat.). The interaction of federal and state laws may limit how funds can be used for infrastructure deployment.

⁶ The FCC is in the process of updating its current broadband Internet maps with more detailed information on the availability of fixed and mobile broadband Internet services. The Broadband Data Collection program will give the FCC, industry, state, local and Tribal government entities, and consumers the tools to improve the accuracy of existing maps. See Broadband Deployment Accuracy and Technological Availability Act (P.L. No. 116-130).

⁷ In general, existing and planned broadband Internet projects using federal funds, e.g., RDOF, CAF Phase II, and the ReConnect Loan and Grant Program, in an area make that area ineligible for grants under the federal Broadband Infrastructure Program. The following is described in an FAQ regarding the ReConnect program and is illustrative: “For example, if a 100-count fiber cable is proposed to pass through ineligible and eligible areas and 30 fibers will serve the ineligible area, then 30 percent of the total cost of the fiber facility (installation and materials) must be funded through non-ReConnect and non-matching funds” (United States Department of Agriculture, 2022, p. 2).

⁸ DEO’s Broadband Opportunity Program is charged with awarding “grants to applicants who seek to expand broadband Internet service to unserved areas of this state.” (§ 288.9952(1), Fla. Stat.).

I.1. Develop local and regional partnerships to meet broadband Internet goals and coordinate with those partners to effectively use federal broadband Internet expansion funds in unserved and underserved areas

Strategy 1: Continue to build and engage Local Technology Planning Teams (LTPT) where possible. In areas where previously organized entities may be able to act as LTPTs, designate them as such if they are willing to take on the LTPT role.

Explanation: LTPTs were authorized by the 2021 Act to identify “current broadband availability, locate unserved and underserved [areas], identify assets relevant to broadband deployment, build partnerships with broadband service providers and identify opportunities to leverage assets and reduce barriers to the deployment of broadband Internet Services in the community.” (§ 288.9961(4)(b), Fla. Stat.). Specifically, this work is to be conducted with rural communities. The statutes’ focus on both the rural areas and the LTPTs’ work in “fiscally constrained” counties suggests that partnerships will help provide the capacity necessary to ensure successful broadband Internet projects.

Action Steps:

- a. Identify areas where LTPTs have not been formed and develop alternative means of engaging communities in the broadband Internet planning process.
- b. Encourage the development of regional LTPTs, especially where neighboring counties have similar broadband Internet needs.
- c. Design and conduct workshops to train LTPTs to perform the necessary needs assessments, collect data, and plan for broadband Internet expansion in their communities.
- d. Publish and/or make available information about the development, progress, and best practices employed by LTPTs and other local entities to identify and create plans for addressing the broadband Internet needs of their respective communities.
- e. Encourage LTPTs and communities to engage in broadband internet service planning and document that engagement.

I.2. Collect, maintain, and analyze up-to-date, reliable, detailed data with which to identify unserved and underserved areas of the state

Strategy 2: Develop an ongoing program to enhance the state broadband Internet dataset. Leverage other broadband Internet data resources, including data collected by LTPTs and local and regional organizations. Ensure the Office of Broadband collects and maintains data through its grant activity.

Explanation: Continued coordination of LTPTs, as well as local and statewide workshops, will raise awareness of the importance of local involvement in the information-gathering process and of broadband Internet expansion constraints imposed by state and federal law. Obtaining the necessary data with which to identify unserved and underserved areas is key to meeting reliable and sustainable broadband Internet service needs of those areas. Local entities developing broadband Internet plans will be most effective in gathering necessary broadband Internet availability and use information from residents and businesses. Such information may be derived from surveys or other methods that will identify broadband Internet service gaps.

Data collected by LTPTs and other grant applicants can be provided to the Office of Broadband in local plans or grant applications for the Office of Broadband's use to support the allocation of federal and state funds to expand broadband Internet infrastructure and service.

The 2021 Act states that "the [strategic] plan must include a process to review and verify public input regarding transmission speeds and availability of broadband Internet service throughout this state." (§ 288.9961(4)(a), Fla. Stat.). Among the types of public input that might be relevant are crowdsourced data, commonly collected via online speed tests, such as the one on the Office of Broadband's website. The need for verification of crowdsourced data is supported by analyses that have shown online speed test results to understate availability and perhaps speeds (PURC, 2022). DEO's Office of Broadband should consider actively maintaining the publicly accessible speed test and map to capture real-time data and display real-time improvement results, but utilize multiple data sources to verify reported speed test results and calibrate the data as necessary.

Action Steps:

- a. Conduct workshops for LTPTs and other regional groups to share best practices related to data collection and management.
- b. Provide resources to help LTPTs identify local broadband Internet service needs.
- c. Encourage LTPTs and regional organizations to conduct surveys and use survey responses to identify unserved and underserved areas.
- d. Assemble locally collected data submitted in local broadband Internet plans and grant applications.
- e. Review and verify the Florida crowdsourced⁹ and other publicly obtained data regarding broadband Internet availability in Florida to determine its validity and predictive power. Analyze such data in conjunction with data obtained from

⁹ Crowdsourcing, in this context, is online collection of Internet speed data from Floridians who voluntarily take part in speed tests with their own Internet-accessible devices, such as personal computers, tablets, or smartphones.

other public sources, including the FCC, the U.S. Census Bureau, Ookla, Microsoft, and the Technology Policy Institute.

I.3. Data covering and used for providers' expansion plans

Strategy 3: Use data to identify areas at a more granular level where federal broadband Internet expansion funds have been used or will be used to ensure compliance with state and federal law and to identify unserved and underserved areas.

Explanation: Detailed data are needed to pinpoint the locations of unserved and underserved areas. Florida historically relied on FCC maps developed several years ago and annually updated. These maps tend to overstate broadband Internet connectivity because if one household has connectivity in a census block, the entire block is counted as having connectivity. In rural areas, a single census block could constitute many square miles (PURC, 2022).

The FCC is updating and expanding its mapping efforts, and information from the updated map will be used by the federal government to determine unserved and underserved areas for the purposes of some federal programs. However, states will be allowed to challenge the FCC's updated maps. To do so, Florida will need to gather and analyze accurate data and identify instances where the FCC's map appears to be flawed. Moreover, challenging FCC data may be necessary to maximize federal funds flowing to the state.

The same data required for the release of federal funds for broadband Internet expansion may be necessary to ensure compliance with state law and implement the Broadband Opportunity Program. The challenge process in state law, as well as the state's responsibility for appropriate use of federal and state funds for broadband Internet projects, will necessitate the collection of data going forward (§ 288.9962 (6)(c) (1-3), Fla. Stat.).

As noted previously, some unserved and underserved areas may not benefit from federal funding from the federal IJA (P.L. 117-58) for broadband Internet expansion and connectivity due to restrictions in DEO's Broadband Opportunity Program and possibly federal programs such as the FCC's Rural Digital Opportunity Fund (RDOF) and Connect America Fund II (CAF II) and the U.S. Department of Agriculture's ReConnect Loan and Grant Program.

Action Steps:

- a. Compile available information about areas that have broadband Internet service and areas that providers have committed to serve using federal

broadband Internet expansion funds. In addition, collect the anticipated duration of any expansion commitments to the extent known.

- b. Develop a process to collect and monitor any such data at least annually.

Strategy 4: Develop and implement a method by which to acquire information about Internet service providers' broadband Internet expansion plans to understand where, how, and when various Internet service providers will initiate or improve service in unserved or underserved areas.

Explanation: An aspect of data gathering and management relates to information about where, how, and when various Internet service providers will initiate or improve service in unserved or underserved areas. However, providers may be reluctant to share information they consider to be competitively sensitive. Therefore, there will be an asymmetry of information between the Internet service providers and the state regarding the providers' commitment to service in specific areas. Efforts to obtain that information from providers could be a challenge.

Regular meetings between DEO's Office of Broadband and Internet service providers may facilitate information-sharing regarding expansion plans; however, the Office of Broadband, and providers that are direct grantees of the state, will need to exercise caution in participating in any such meetings to avoid a conflict of interest.

Action Steps:

- a. Have the Office of Broadband meet regularly with Internet service providers to learn about their observations regarding the viability of conducting business in unserved areas and upgrading service in underserved areas.
- b. Create legal pathways for sharing sensitive or confidential business information such as entering into data share agreements with providers, as necessary, to obtain more information about their not-yet-disclosed-commitments for expanding broadband Internet services.

I.4. The overarching economic challenge for making broadband Internet available

Strategy 5: Develop an approach to identify locations where sustainable broadband Internet expansion or improvement will not be economically feasible for providers in the foreseeable future due to low adoption levels or geographic barriers.

Explanation: Sustainable broadband Internet adoption is not currently feasible in some areas of the state because the costs of providing services in those areas exceed customers'

willingness or ability to pay for the services. In these areas, there may be greater opportunities for alternative solutions to play a larger role in providing broadband Internet services.

Action Steps:

- a. Establish methods for leveraging state and local resources, including the Florida Broadband Availability and Speed Test Map, to identify unserved and underserved areas in the state.
- b. Continue to collect and maintain information about unserved and underserved areas in the state's broadband Internet datasets.¹⁰
- c. Continue to engage with technology and equipment companies to understand the methods by which broadband Internet service may be provided to an area.
- d. Encourage planning efforts to maintain updated estimates on both the potential costs to provide service as well as the potentially available technologies to provide that service and what speeds this would bring to the areas.

I.5. Positioning to undertake statewide broadband improvement

Strategy 6: Evaluate all aspects of state and federal funding program requirements and determine the need for and best use of consultants to implement a grant-making process.

Explanation: DEO administers various grant programs, such as the Small Cities Community Development Block Grant and nearly \$2.5 billion through the Community Development Block Grant - Disaster Recovery and Community Development Block Grant - Mitigation programs through its Office of Long-Term Resiliency to facilitate recovery efforts in response to Hurricane Hermine and Matthew (2016), Hurricane Irma (2017), Hurricane Michael (2018), and Hurricane Sally (2020), as well as mitigation and resiliency efforts. DEO's experience with the administration of these programs will inform the development of broadband Internet expansion grant administration.

Additional specialized expertise may be required to implement a suitable grant administration process. Supplementing the state-level capacity with contracted services can help accomplish the tasks associated with this large funding project without making long-term staffing commitments, which may not be necessary.

¹⁰ Discussion of datasets is included in the "Managing Data" section below.

Action Steps:

- a. Leverage capacity within DEO to design and manage grant processes that will meet the scope and requirements of the state and federal programs that fund the state's broadband Internet expansion.
- b. If third parties are needed, develop criteria for consultant selection and coordinate input into the process of selecting third parties to complete selection as quickly as possible. Depending on the projects for which third parties are needed, they will need to have the following requirements:
 1. Analytic skills such as mapping and data analysis (including take rates, affordability, etc.) necessary to identify where services are needed and how much it will cost to serve these areas;
 2. An understanding of cost analysis based on geographic and technology differences across the state and an understanding of the revenue needs of providers to derive estimates of funding necessary to ensure broadband Internet deployment in unserved and underserved areas;
 3. Knowledge of grant administration processes and management;
 4. Experience working in a number of states;
 5. Detailed knowledge of relevant federal funding programs and their requirements; and,
 6. Demonstrated ability to adhere to a complex timeline.

I.6. Implement grant development administration processes for providers

Strategy 7: Implement the most effective and efficient means of using broadband Internet grant funds to reach unserved and underserved areas and incorporate that approach into the grant processes for providers.¹¹

Explanation: Grant qualification, evaluation, and application processes can present obstacles to providers and serve as a barrier to broadband Internet expansion. To attract the largest number of applications for broadband Internet grants, and therefore increase the possibility that unserved and underserved communities will be reached, the entry hurdles need to be streamlined without sacrificing robustness. That is, every step in the process must be designed to ensure that the most qualified applicants have the possibility of receiving project funding to provide service to those communities in Florida which are the most needy. In terms of sequencing the use of grant programs, an option might be to award competitive grants for most of the state and establish a grant specifically for unserved areas within the state that have not yet received funding or any response to earlier competitive grant opportunities.

¹¹ Grant in this context, means the funding provided by the federal, state, or local government. Grant agreements take different forms including partial project funding (i.e., requiring a match) and are contracts between the granting entity and the grantee.

DEO's Office of Broadband should ensure the projects' grant applications are the best fit under the separate potential sources of funding to minimize challenges or hurdles posed with each project, as some funding opportunities will contain different constraints that may or may not readily fit within the existing project plan.

Action Steps:

- a. Develop an approach to attract multiple broadband Internet service providers as competitors for financial assistance to be used in unserved and underserved areas under state or local assistance programs.
- b. Analyze each state and federal funding stream to determine priorities for projects, restrictions on the use of funds, time limitations on the use of funds, and match requirements, along with any other stipulations.
- c. Create a plan for sequencing the use of state and federal funds that maximizes the amount of funding available to support broadband Internet projects in the least served areas of the state.
- d. Determine which of the various available competitive grant processes should be used for the purposes for which grants may be made under the state and federal program requirements.
- e. Implement specific rounds of grant cycles targeted to meet identified community needs.

Strategy 8:

Design a competitive selection process in compliance with state and federal requirements that will enable DEO to identify the most suitable Internet service provider or providers to meet the broadband Internet needs of the unserved and underserved areas of the state.

Explanation:

An approach for selecting grantees could include:

- Developing rigorous standards for business experience, financial health, and technical expertise for entities seeking funding;
- Holding competitions for funding for multiple areas and, at the same time, allowing entities seeking funding to choose which areas they would seek to serve;
- Developing well-defined obligations for funding recipients and a uniform, objective scoring method for comparing offers;
- Holding multiple rounds of offers in which competitors seek to beat the offers of others; and
- Conditioning the release of funds on the successful completion and deployment of the required broadband services.

In addition to this process, there are other competitive funding mechanisms that may be used such as a Notice of Funding Availability, Funding Opportunity Announcement, or similar instrument. Other competitive grant award processes include those based on the merit of the proposal or application, for example – an assessment of the applicant’s ability to complete specified tasks within budget and time constraints.

Some competitive processes are better than others to identify the most effective bidder for a well-known project. Other processes may be better when the area’s needs cannot be articulated. The Office of Broadband should work with LTPTs to identify which processes are best suited for individual situations.

Action Steps:

- a. Develop and implement competitive processes to identify the recipient of financial support that is best able to meet the needs of unserved and underserved areas.
- b. Ensure that the competitive grant process accommodates proposals from providers to expand broadband Internet service in multiple unserved and underserved areas, where applicable.
- c. Establish grant eligibility and scoring criteria that incorporate an assessment of whether Floridians can access networks that are comparable on such dimensions as speed, latency, reliability, and functionality.
- d. Design and use application qualification criteria to ensure that grantees can and will complete the scope of work required.

Strategy 9: In the instance where an area failed to receive competitive bids, design a negotiated provider-selection process in compliance with state and federal requirements for aspects of the broadband Internet expansion effort for which there was only a single bidder offering to deploy broadband Internet in an unserved and underserved area or for which there was no bidder.

Explanation: After funds have been allocated through the competitive grant process, there may be unserved and underserved areas for which no provider was identified. An alternative provider selection process may be required to ensure those areas are served under a broadband Internet expansion program.¹²

¹² An example is North Carolina’s Broadband Stop Gap Solutions Program, which is to be launched in late fall 2022, following awards from two other competitive grant programs. See The Broadband Stop Gap Solutions Program at NCDIT “Stop-Gap Grant.”

Action Steps:

- a. After competitive selection processes are completed, inventory those unserved areas where there was no acceptable competitive bid and that were not included in the service area of any grantee.
- b. Develop specifications for grantees to serve those areas in compliance with state and federal funding requirements.
- c. Negotiate with qualified applicants to provide services to the unserved areas.

I.7. Shortage of skilled workers may delay deployment of broadband Internet infrastructure projects

Strategy 10: Prepare the workforce for the jobs that will emerge from the deployment of federal infrastructure projects to ensure continuity of operations.

Explanation: In addition to the need for construction and installation expertise for broadband Internet infrastructure projects, there will be an ongoing need for broadband Internet infrastructure maintenance after the grant funding ends. Workforce development planning and initiatives, which is a statewide function, may be necessary to meet those needs.

Action Steps:

- a. Inventory workforce development programs that prepare the state's workforce for jobs in broadband Internet-related infrastructure construction, telecommunications technology, and consumer technology industries.
- b. Encourage workforce development agencies and educational institutions to train more students in technology-related fields and address the need for alternative and related skills to enable infrastructure installation and construction workers to transition to more stable positions.

“Unlike industries with infrastructure mostly built out, the Broadband Industry faces unique challenges due to the volume of new and upgraded infrastructure to be deployed. In many cases, Broadband Industry workers must be on-call, on the road, and face unpredictable (uneven) demand for their skills. In addition, where climate and weather limit deployment in certain seasons, affected Broadband Industry positions may have a stigma that they provide a lower level of ‘job security’ for some. Many Broadband Industry workers or potential workers might view the job security issue differently if alternative Industry career options, and upskilling and other training programs, were available during the periods when the peak demand is over.

Furthermore, many Industry positions, such as tower climbers, require working at heights. Many workers are not interested in the risk such jobs entail” (Broadband Infrastructure Deployment Job Skills and Training Opportunities Working Group, 2020, p. 10).

B. Local Role in Availability

The 2021 Act emphasizes the involvement of local and regional entities in planning for broadband Internet expansion in unserved and underserved areas of the state. The 2021 Act underscores the concept that local and regional entities are well-positioned to identify and respond to the broadband Internet needs of their residents. This approach is supported by charges to the LTPTs to “help the communities understand their current broadband availability, locate unserved and underserved businesses and residents, identify assets relevant to broadband deployment, build partnerships with broadband service providers, and identify... assets and reduce barriers to the deployment of broadband Internet services.” (§ 288.9961(4)(b), Fla. Stat.).

“The most critical aspect of this comprehensive effort is a coordinated planning effort between Local Technology Planning Teams (LTPTs) and the Florida Office of Broadband” (Florida Office of Broadband, 2022a).

Stakeholders from various industries are involved in LTPTs. Some communities focus on the involvement of a core group of large broadband Internet service users, while other communities involve all stakeholders, regardless of the scope of their needs. The rationale for the former is that a network is being developed to support all applications and broadband Internet users; therefore, it is not necessary to have every stakeholder at the table. The other perspective is that there is little downside to involving a wide range of stakeholders to ensure that all needs are considered.

I.8. Capacity for communities to effectively pursue federal and state funding opportunities to support broadband Internet expansion

Strategy 11: Continue to provide technical assistance based on community requests to assist with organizing LTPTs.

Explanation: Local entities often face challenges in assessing their broadband Internet availability, identifying unserved and underserved residents and businesses, identifying assets available to leverage federal funding, and filling out applications for federal broadband Internet funding. In addition, communities in Florida have little experience convening to pursue objectives for broadband Internet expansion. These objectives may include those community members who comprise LTPT membership: “libraries, K-12 education, colleges and universities, local health care providers, private businesses, community organizations, economic development organizations, local governments, tourism, parks and recreation, and agriculture.” (§ 288.9961(4)(b), Fla. Stat.).

The Broadband Planning Toolkit (Toolkit) provides fundamental resources and guidance using a nine-step planning process to help each LTPT identify the availability of broadband Internet services in its county or region. The Toolkit also provides a template for a community and business survey that should be updated to fit the team’s needs, circulated, collected, and provided to the Office of Broadband for statistical analysis vital to broadband Internet expansion.

In addition, LTPTs are provided with:

- Support from the Office of Broadband, including assistance with meeting facilitation and verification of speed test data.
- Contact information for other LTPTs around the state to share discussions and planning strategies.
- Links to planning resources, research, and other materials available on the Office of Broadband’s webpage. Available resources include maps, statewide survey results, the regional broadband Internet workshop summary and recordings, funding opportunities, and partnership information.
- A comprehensive broadband availability map from the NTIA.
- Guides on broadband Internet 101; Broadband planning processes; broadband planning inventories; strengths, weaknesses, opportunities, and challenges analysis; sample questions for meetings/discussions; and, community and business survey distribution practices (Florida Office of Broadband, 2022a).

The Toolkit for LTPTs names nine steps for a planning process and provides steps and a timeline for completing each one:

- Step 1 - Engage Stakeholders
- Step 2 - Assemble a Team
- Step 3 - Identify Community Priorities
- Step 4 - Harness the Data
- Step 5 - Consider Digital Inclusion
- Step 6 - Assess Resources and Infrastructure
- Step 7 - Engage Local Internet Service Providers
- Step 8 - Evaluate Solutions
- Step 9 - Develop & Execute Solutions (DEO, 2021)

The intended result from this effort is “diverse community industry sectors working together to develop measurable goals, objectives, and benchmarks that will keep Florida’s broadband adoption and expansion efforts on track at every level of government in subsequent years” (Florida Office of Broadband, 2022a).

Action Steps:

- a. Use the Toolkit and any other relevant training materials as the basis for educating and organizing LTPTs.
- b. Provide technical assistance on the use of the state’s broadband Internet availability map and other publicly available broadband Internet databases.
- c. Provide information about the strengths and weaknesses of various broadband Internet technologies so that local entities can make informed decisions about

the technologies or technology requirements that will best meet the needs of their unserved and underserved areas.

- d. Continue to implement an outreach and communication campaign to ensure that stakeholders across the state are aware of the local planning efforts underway.
- e. Continue to provide information on the Office of Broadband webpage about any technical assistance available through federal funding opportunities.
- f. Develop best practices and other resources for LTPTs to use to lower costs of providing broadband Internet service to unserved and underserved areas.
- g. Identify philanthropic organizations that could assist by providing technical assistance or funding to LTPTs or communities working to expand broadband Internet in their areas.

Strategy 12: Provide technical assistance to grant applicants that request such assistance.

Explanation: An experienced staff person or contractor with community needs assessment techniques and grant application preparation at the local government level could be engaged to provide technical assistance to ensure applicants are supported throughout the planning process.¹³

Action Steps:

- a. Determine which technical support needs can be provided either through staff or a contractor to ensure that all applicants' needs are met and that applicants are treated fairly.
- b. If technical assistance is outsourced, consider models such as those used by the Illinois and Minnesota broadband Internet offices for empowering local communities to identify unserved and underserved areas, identify needs for broadband Internet services, and assist in developing grant applications.
- c. If resources are available, provide planning grants to each local entity functioning as an LTPT. Such grants may be useful for local entities to obtain necessary technical expertise.

¹³ For example, the Benton Foundation and the Blandin Institute use the same individual to provide technical training to communities. With respect to the Benton Institute program in Illinois, 30 hours of expert consultation to facilitate community-driven broadband Internet planning is offered. The Blandin Institute similarly provides consultation to rural communities in Minnesota that are starting their planning for broadband Internet expansion. This consultation guides them through the steps in preparation for conducting a feasibility study and organizing for the subsequent steps. Communities get a 'grant' of up to 35 hours of the consultant's time (Blandin Foundation, 2022; Illinois Department of Commerce & Economic Opportunity, n.d.).

I.9. Attract providers to serve rural, low population density areas

Strategy 13: Develop an approach to increase communities' purchasing power by attracting multiple providers to deploy broadband Internet in rural, unserved, and underserved areas in those communities.

Explanation: Providing broadband Internet to low-population density rural areas may require government subsidies to offset provider costs, thus making service to rural customers commercially attractive. Individually, low-population density areas may be unable to attract interested providers due to the cost of developing proposals and high project risk relative to potential profits. However, when aggregated, they might be able to attract more than one provider. For local areas that aggregate their service needs, state contracts may be available through which to obtain the necessary services. The objective of aggregating or using state contracts would be to reduce procurement-related overhead costs to the local subdivisions and overall project costs.

This strategy may overcome two factors that might limit counties' success in engaging providers of broadband Internet service for unserved and underserved areas: 1. County-specific procurement processes that may include unique requirements related to areas where revenue potential is limited; and 2. Conducting the procurement process itself is a barrier for resource-limited rural counties.

Several rural counties have implemented procurement processes that include grants. A more expansive inventory of Florida county procurement efforts may reveal best practices that might be applicable more broadly.

Action Steps:

- a. Identify areas that are unable to attract a provider, but that when aggregated with other areas, might attract one or more providers.
- b. Encourage local communities or regions to jointly determine the technical services needed for grant management.
- c. Select a vendor or vendors that will provide services to all participating communities or regions.
- d. Catalog best practices used by counties to procure broadband Internet services, paying special attention to practices used by counties with the lowest population density.
- e. Post best practices for procurement on DEO's website and periodically update them to be used as a resource for counties to promote broadband Internet expansion.
- f. Encourage or facilitate local communities or regions' in conducting business case studies to determine the economic feasibility of providing various scalable levels of broadband internet service.

I.10. Coordinate infrastructure installation projects

Strategy 14: Encourage local communities to coordinate infrastructure projects, such as roads and broadband Internet, to reduce overall costs.

Explanation: Failure to coordinate planning for infrastructure projects could result in land or rights of way being dug up more than once when broadband Internet providers install fiber after lines and conduits have been installed as part of roadway construction projects. Such duplication of effort can be costly to the community in terms of traffic disruptions and reduced road life (Wilde et al., 2002).

Dig Once, involving coordination, has been identified by the U. S. Government Accountability Office as a means of reducing the overall cost of infrastructure installation with opportunities for joint trenching and sharing of overhead such as maintenance of traffic, staging construction activity, and restoration expenses (Fleming, 2012).

A new rule authorizes federal highway projects to permit the sharing of conduit for that purpose (Federal Highway Administration, 2021). This same rule requires the state to designate a utility coordinator with responsibility for facilitating the broadband Internet infrastructure right-of-way efforts in the state.

Action Step: Provide information about the use of “Dig Once Policies” defined in the Broadband Planning Toolkit as “the installation of accessible, buried conduits during various infrastructure projects to enable providers to affordably install fiber with ease by running it through available conduits at a later time” (DEO, 2021a, p. 25). Engage with state agencies such as the Florida Department of Transportation for best practices methods in planning infrastructure construction projects which co-locate resources, utilities, or services.

II. Adoption and Use

For broadband Internet providers to recover their investment in broadband Internet-related capital outlay over the long term, revenue streams from consumers must be adequate to offset costs. The provisions of the 2021 Act underscore the need for adoption as a means of sustaining broadband Internet services. The defined term “sustainable adoption” implies that while public financial support may be important in the short term, the end goal is for providers to be able to encourage “adoption and use levels” that allow services to be offered without government subsidies. (§ 288.9961(2)(e), Fla. Stat.).

The 2021 Act recognizes the importance of adoption of broadband Internet service by requiring the Office of Broadband to “encourage the use of broadband Internet service, especially in the rural, unserved, or underserved communities... through grant programs.” (§ 288.9961(4)(d), Fla. Stat.).

Furthermore, the Broadband Opportunity Program prioritizes the use of grant funding to spur adoption by actively promoting adoption, having wide support from the community, and providing access to broadband Internet service to the greatest number of households and businesses. (§ 288.9962(7)(a), Fla. Stat.).

ADOPTION occurs when consumers — residents or businesses — subscribe to high-speed Internet service. Digital literacy is the ability to use a variety of broadband-enabled devices for engagement in online services. Adoption and digital literacy strategies work hand in hand. The strategies for adoption involve identifying local barriers to broadband adoption and developing methods for overcoming them at the local level. These strategies also address the state facilitating, and assisting with, local efforts, including efforts to obtain funding. In addition, the strategies address methods to overcome the identified digital divide, ensure that anchor institutions obtain the broadband they need, and provide technical assistance to local communities.

It is difficult to predict the long-term availability of public subsidies supporting adoption of broadband Internet service. Large federal infusions of funding may be time limited, e.g., the emergency connectivity subsidy was extended to June 2023, but evidence shows that adoption challenges persist and may be difficult to overcome (Manlove & Whitacre, 2019a, 2019b; Perrin, 2021; Perrin & Atske, 2021; Vogels, 2021, 2021b). Therefore, organizations charged with stimulating demand for broadband Internet may need to be involved in adoption activities over the long term.

II.1. Bridging the adoption digital divide

Strategy 15: Expand policymakers’ and other stakeholders’ knowledge of ways to bridge the adoption digital divide between urban and rural communities.

“The shape of the digital divide is different in each community. Affordability, infrastructure, lack of devices or skills, and low awareness of the internet’s benefits can all be factors. To best respond to community needs, local leaders must have a complete picture of their current broadband landscape. Identifying gaps by conducting a needs assessment is the first step in creating effective solutions to close the digital divide” (De Leon & Sanchez, 2020).

Explanation: The existence of an urban-rural divide in broadband Internet availability and adoption is documented in *The Status of Broadband in Florida* report (PURC, 2022) that lays part of the foundation for this Strategic Plan.

Adoption is at the heart of Florida’s broadband Internet policies. “The sustainable adoption of broadband

Internet service is critical to the economic and business development of this state and is essential for all residents of this state, libraries, schools, colleges and universities, health care providers, and community organizations.” (§ 288.9961(1), Fla. Stat.).

Yet, the challenge of spurring broadband Internet adoption and meaningful use has persisted for decades. In some instances, availability has been a primary barrier to adoption. In other instances, the cost of connectivity and end-user devices will continue to affect some segments of the population, and, in many instances, potential customers have not seen the value of adopting broadband Internet, regardless of the price.

The mechanisms that might spur adoption are currently not yet fully understood, making it difficult to identify precisely the most effective actions at either the state or local level (Beard et al., 2022). Discussions during Office of Broadband workshops conducted in early 2021 pointed to reliability being more of a barrier than cost (DEO, 2021b). Barriers to adoption must be identified and understood to craft the appropriate public sector responses.

The use of broadband Internet services for addressing peoples’ needs with respect to job training, healthcare, education, and the workplace has been impeded by limitations with respect to end-user technology.

Action Steps:

- a. Identify gaps in broadband Internet adoption that may not be filled absent financial assistance to consumers.
- b. Identify broadband Internet adoption gaps that will persist despite there being adequate financial assistance.

- c. Identify and publicize best practices for providing information about and availability of needed financial assistance for broadband Internet adoption through cooperation with and partnerships between providers, government, and regional leaders, with emphasis on unserved and underserved communities.
- d. Cooperate with providers in studies of why some potential broadband Internet customers choose to not purchase the service for reasons other than affordability.
- e. Support LTPTs and other regional entities as they establish goals for broadband Internet adoption in their respective communities to ensure that the needs of all communities and residents within those communities are considered, including the need for appropriate end-user technology.
- f. Use relevant data from state and national sources to identify where adoption lags state averages.
- g. Utilize public speed-testing (crowdsourcing) and other techniques to identify unserved and underserved locations.

Strategy 16: Assemble and analyze information gathered by Internet Service Providers, LTPTs, and other regional entities to identify gaps in adoption. Overlay these identified areas with other state data indicating economic and community development indicators to determine potential correlation and use this analysis to better refine knowledge of gaps in adoption and meaningful use of broadband internet service.

Explanation: Whenever possible the Office should work with all relevant stakeholders to maximize usage of gathered data. Leveraging multiple sources of data will strengthen the statewide perspective of the Department. Placing particular emphasis on determining gaps in Broadband adoption and the related data source showing that gap can help identify both areas of need and potential correlations to reasons those areas remain of need.

Action Steps:

- a. Collaborate with broadband Internet providers in studies of customer use and potential customers' reasons for non-adoption.
- b. Assist LTPTs and other local and regional organizations with the designing and conducting surveys of end residents and businesses in various settings such as educational institutions, libraries, community centers, senior centers and other venues to find out more about their use of broadband Internet services.
- c. Provide technical assistance to ensure that community surveys collect sufficient demographic data to make results useful.
- d. Analyze data collected at the local level to identify statewide patterns and use findings as the basis for further training and technical assistance for LTPTs and other regional entities, including schools and libraries supporting broadband Internet adoption.

II.2. Insufficient local technical support may limit adoption of broadband Internet-supported services

Strategy 17: Prepare people for emerging information technology jobs and business opportunities and identify ways of using existing positions or volunteers to meet increased end-user needs related to adoption and use of broadband Internet services.

Explanation: This strategy is related to strategy 10: *Prepare the workforce for the jobs that will emerge from the federal infrastructure programs*. As broadband Internet becomes more available across the state, additional opportunities for business creation and expansion, as well as a growing need for skilled workers to provide end-users with technology support and to improve the use of digital content or digital literacy, may become available.

Citizens and businesses without access to technical support may need assistance in keeping software and hardware safe, secure, and up to date (e.g., updates, security patches, use of antivirus applications and VPNs, especially for education and medical applications, but also for job searches and for submitting taxes and other interactions with government agencies). The U.S. Bureau of Labor Statistics estimates published in 2021, show that there were approximately 42,000 employees in computer support technical positions in Florida. Those data also show that in many areas of Florida, especially non-metropolitan areas, employment of people in support specialist positions is below the national average (United States Bureau of Labor Statistics, 2021).

Support for end-users can come from community members who are not exclusively dedicated to computer technology support. Positions in existing businesses and organizations may be repurposed to provide assistance to residents with technology and application questions. An example is the Digital Navigator Grant Program in Illinois where Digital Navigators¹⁴ assist community organizations and residents with digital literacy skills (Illinois Department of Commerce & Economic Opportunity, n.d.).

Action Steps:

- a. Inventory workforce development programs that prepare people for jobs in information technology and consumer technology occupations.
- b. Develop programs that recognize achievements in information technology workforce and business development.
- c. Work directly with workforce development agencies and educational institutions to increase the number of technology-trained individuals in

¹⁴ “Digital navigators are trusted guides who assist community members in internet adoption and the use of computing devices. Digital navigation services include ongoing assistance with affordable internet access, device acquisition, technical skills, and application support” (NDIA, n.d.).

the workforce with a focus on workforce and training provisions related to the use of federal funds.

- d. Work with LTPTs and other local organizations to identify opportunities to develop “digital navigators” who could provide technical support to end-users.

II.3. Coordinate funding programs with components meant to address adoption and use of broadband internet service.

Strategy 18: Focus at least a portion of state-level digital equity grant administration efforts on broadband Internet education and training programs, raising awareness of broadband Internet-based applications, and providing equipment to schools, libraries, colleges and universities, healthcare providers, and community support organizations to assist with digital literacy efforts.

Explanation: The monitoring effort directed toward optimizing the use of digital literacy funds should include functions that both evaluate and track any new money coming into the state and measure effectiveness in increasing broadband Internet adoption.

In terms of digital literacy funds that are known to be available, the NTIA has made \$2.75 billion available nationwide for three Digital Equity Act Programs. Those funds are to be used to “ensure that all individuals and communities have the opportunity to acquire the same skills, technology, and capacity needed to engage in the Nation’s digital economy” (NTIA, 2022b, para. 7). For grant application purposes, state and local datasets should include demographic information that federal agencies will seek, such as the racial or ethnic characteristics of the people surveyed and residence information with which to identify whether they live in urban or rural areas.

While further guidance is forthcoming, at this time, funds available through the Digital Equity Act will be allocated as follows:

- State Digital Equity Planning Grant Program, to be used by states and territories to create digital equity plans. (Planning only).
- State Digital Equity Capacity Grant Program, to be used by states and territories for implementing digital equity projects and support for implementing digital equity plans. (Planning and Implementation).
- Digital Equity Competitive Grant Program to implement digital equity projects. (Implementation).

The Planning Grant and Capacity Grant program funds will be allocated to the states through a formula.

Action Steps:

- a. Utilize information collected by LTPTs and other local entities about the need for programs that will encourage broadband Internet service adoption and use.
- b. Encourage LTPTs and other local entities to collect and provide to the Office of Broadband datasets that can be used to identify the broadband Internet adoption needs of those who are low income, incarcerated, elderly, and veterans. In addition, such local datasets should include information about the broadband Internet adoption needs of individuals with limited English language proficiency and persons with disabilities.
- c. Work with LTPTs and regional entities to coordinate securing grants for local digital equity programs.
- d. Provide technical assistance to entities working to reduce the digital divide to help them maximize funding for their programs.
- e. Engage with state agencies to assist rural communities by waiving financial match requirements to the extent allowed by law (if a match requirement is determined to be a barrier to the local unit).
- f. Work with philanthropic organizations to encourage them to contribute funding for ongoing adoption-related efforts.
- g. Position the state to maximize funding available for adoption:
 - Identify and monitor potential public and private funding sources for broadband Internet adoption projects.
 - Establish a portfolio of documents frequently required for state and local grant applications to prepare for submissions.
 - Work with local communities and Internet service providers to identify a means of lowering the cost of broadband Internet service plans through the coordination of various support mechanisms.

II.4. Ongoing state-specific, adoption-related data collection

Strategy 19: Develop processes for the ongoing collection of data with which to identify emerging barriers to sustainable broadband Internet adoption in rural, unserved, and underserved communities.

Explanation: No ongoing data collection funding is currently provided by the state beyond the initial data/mapping that is to be completed by June 30, 2022. The U.S. Census Bureau's American Community Survey collects data on household adoption, but the data is high-level, aggregated, and collected from a small sample. The Pew Research Center also reports on broadband Internet adoption, but the reports are not state-specific. The Technology

Policy Institute, which uses all publicly available data on its website, has information about Florida.

Action Steps:

- a. Collaborate with the NTIA, FCC, and other states to analyze and collect data that identify where broadband Internet adoption is absent or inadequate, what customers find most valuable about broadband Internet services, and why potential customers are not buying broadband Internet services. This collaborative effort should include the evaluation of the performance of broadband Internet programs and subsidies that the federal government and states are creating and implementing.
- b. Implement a system for informing Floridians of opportunities to continue contributing information about their broadband Internet service and use through the Office of Broadband's website, as well as partnerships with other entities.
- c. Structure the state's data collection efforts related to broadband Internet adoption to meet the requirements of the various federal funding programs and to meet the state's need for data with which to evaluate those programs.

III. Accountability

Introduction: Accountability needs to be built into the process of developing grant programs from the beginning, along with procedures for oversight of grantees. That approach should reduce the risk of grantees not fulfilling their obligations and increase the likelihood that unserved and underserved areas will be provided with sustainable broadband Internet services on a timely basis. The need for accountability also requires mechanisms in grant agreements for imposing binding penalties for grantee non-compliance or non-performance.

Two types of accountability requirements are framed in state law, and they are intended to inform different audiences. In the first type, requirements are included expressly in statute. In the context of the 2021 Act, the Office of Broadband is responsible for keeping the Governor, the Legislature, and the public informed about activities undertaken pursuant to the 2021 Act. (§ 288.9962(10), Fla. Stat.).

The second type of accountability applies to grantees and may be established in a state agency's rules and/or grant development procedures. In the context of the 2021 Act, DEO is to promulgate rules and address accountability in grant agreements, including conditions of performance and mechanisms for imposing binding penalties for grantee noncompliance or nonperformance. In addition, federal funding programs for broadband

Internet expansion, adoption, and related work may come with additional accountability requirements.

III.1. Appropriate capacity to ensure that the state's broadband Internet goals are met by grant recipients

Strategy 20: Develop robust contracts and funding requirements that ensure grant recipients have clear, measurable service commitments to promote accountability.

Explanation: Clear, measurable commitments will ensure accountability and transparency in the spending of public funds and through the contracting process between the state and other entities. Confirming accountability is a foundational component of planning and implementing a rigorous program that will benefit the citizens and communities of Florida as that accountability sets grantees up for successful sustainable projects.

Action Steps:

- a. Determine which accountability mechanisms and requirements are best suited to being disseminated as agency rules and which are best suited for inclusion in grant agreements, and develop rules and contracts/grant agreements accordingly.
- b. Develop and utilize grant funding agreement instruments that include provisions for recipients, providing specific and verifiable data needed to ensure that they are meeting their commitments.
- c. Establish grant criteria that include deadlines for the installation of infrastructure to ensure that customers have a usable service within time limits established by law.
- d. Incorporate incentives for recipients to fulfill their commitments, including commitments to provide required data. For example, receipt of funding could be conditioned upon fulfillment of commitments. Alternatively, in situations where funding is provided before performance, impose binding financial penalties for failure to fulfill the requirement.
- e. Ensure that grant criteria recognizes and rewards collaboration at the local level that will spur economic and workforce development, job creation, and overall quality of life for residents and visitors.

Strategy 21: Make receipt of funding contingent upon fulfilling reporting requirements and commitments.

Explanation: To determine whether grant funding programs have achieved the articulated goals, absent independent sources of information, the grant development administration

processes must include a means of obtaining the necessary data. That is to say, accountability for the use of public funds must be built into the process from the beginning. Potential grantees must be vetted through a rigorous review process to ensure that, if selected, the awardee will have the capacity to complete the project on time and within budget.

Grant applications should include sufficiently detailed data, aggregated and anonymized appropriately, that is useful for the Office of Broadband's planning efforts as well as for evaluation of the service area proposed for the funded project. The funding application scoring system must include weighting factors that will result in selection of grantees most likely to achieve the specific program goals. The Office of Broadband must have sufficient contract management expertise to monitor providers' progress toward fulfillment of grant requirements during and upon completion of projects. Such monitoring needs include field verification of work in progress and upon completion. Agreements need to include provisions for regular reporting to the Office of Broadband of data necessary to track project progress and evaluate the extent to which identified goals are met as a result of the project.

Action Steps:

- a. Base grant funding on accomplishment of measurable objectives within a specified timeframe, such as the number of households able to adopt service by the end of 2023, the number that do adopt service, and the quality of the service at the time of adoption.
- b. Monitor grant recipient performance against those objectives.

III.2. State-level coordination among state agencies using federal funds for broadband Internet expansion activities.

Strategy 22: Enhance state-level capacity to implement broadband Internet expansion and adoption through program governance and agency structure.

Explanation: Federal and state funds for broadband Internet expansion are or will become available to the private sector, several state agencies, and counties, cities, and anchor institutions. The existence of a variety of funding streams raises the risk of a lack of coordination in optimizing the use of these funds. With such a critical component of community development, any risk of a lack of coordination can prove inefficient.

Action Steps:

- a. With DEO as lead, establish routine communication between DEO and representatives from the Florida Department of Education, Florida Department of Transportation, Florida Department of State, Florida

Department of Management Services, Florida Public Service Commission, Florida Department of Health, Florida Department of Children and Families, Florida Department of Environmental Protection, Florida Department of Agriculture and Consumer Services, Florida's REACH Office, and other state agencies involved with developing state infrastructure or applications that rely upon broadband Internet technology. The 2021 Act directs DEO to "work collaboratively with private businesses and receive staffing support and other resources from Enterprise Florida," among other entities. (§ 288.9961(3), Fla. Stat.).

- b. Clearly identify roles for all agencies involved in the expansion and adoption of broadband Internet as well as the program(s) within each agency that have overlapping interests regarding broadband Internet, including what data sharing should be regularly conducted.
- c. Share ideas about how to best enable Floridians in rural areas to make use of broadband Internet applications such as telemedicine, e-learning, and telework as well as broadband Internet related funding opportunities.
- d. Encourage the other agencies to engage with and/or advise the Office of Broadband on key decisions and activities within their purview, including public investments and project prioritization, that directly or indirectly impact broadband Internet services.
- e. Conduct an annual meeting with ISPs, LTPTs, and stakeholders to examine and gain perspectives on the state's progress toward expanding sustainable adoption in unserved and underserved areas.
- f. Share information with the Office of Broadband on federal programs that may inform or affect its activities.
- g. Jointly monitor relevant federal proceedings.

Strategy 23: Ensure state programmatic framework considers and adapts from other recent programs to avoid pitfalls and achieve efficiency in state program effectiveness.

Explanation: Federal and state funds for broadband Internet expansion have been utilized across the country (and world) under various broadband Internet-related programs. These programs have had many different methods to achieve the same underlying purpose: enhance availability and use of broadband Internet services. Over time, some methods of programs have appeared to have achieved more effective results. See Appendix F, Literature Review, particularly in Section VI, Programs to Increase Broadband Access, for further detailed information and study. Different market conditions play a role in the effectiveness of a broadband Internet program, and many of these conditions operate as barriers to entry. As Florida enhances the state broadband program(s), it is critical the state does so with deliberate planning and intentional goals to maximize the effectiveness of the grant programs as a whole and ensure these program efforts are undertaken accountably.

Action Steps:

- a. Actively weigh program methodology options such as Facilities-Based Competition¹⁵ versus Services-Based Competition¹⁶ or Municipal Provision,¹⁷ particularly under the circumstances where studies and programs have demonstrated the conditions under which Facilities-Based Competition far outperforms Services-Based Competition for effectiveness in providing new broadband Internet availability and use.
- b. In public rulemaking, seek public input on these different methodologies.
- c. With the LTPT, promote discussion and research of these different methodologies.
- d. Continue to monitor relevant federal and other state programs' implementation and successes.
- e. Actively build upon this Strategic Plan and the legislatively-required biennial updates with any new studies, program successes, program pitfalls, or known aspects of effectiveness, to continue to advance broadband Internet in the state of Florida.

¹⁵ The term facilities-based (or infrastructure-based, or inter-platform) competition is used in the telecommunications industry to describe competition between providers of the same or similar services where the service is delivered by different or proprietary means or network.

¹⁶ Service-based (or intra-platform) competition refers to when new entrants compete with incumbents by leasing facilities such as local access networks from incumbents.

¹⁷ Municipal broadband Internet provision is broadband Internet access provided by local governments.

Glossary

2021 Act: See the Glossary entry for Florida Broadband Deployment Act of 2021.

Adoption: The subscription of consumers — residents or businesses — to high-speed Internet service.

Anchor institutions or community anchor institutions: Schools, libraries, medical and healthcare providers, public safety entities, institutes of higher education, and other community support organizations that provide outreach, access, equipment, and support services to facilitate greater use of broadband Internet service by the entire population and local governments (National Telecommunications and Information Administration [NTIA], 2022).

Availability: Whether or not an internet connection point exists and in what manner. A precondition for connecting to the Internet, but the availability of a connection alone does not guarantee Internet use, nor sufficiency of the internet available.

Broadband: High-speed Internet access.

Broadband Internet service (sometimes referred to as “broadband service”): A service that offers a connection to the Internet with a capacity for transmission at a consistent speed of at least 25 megabits per second downstream and 3 megabits per second upstream. (§ 288.9961(2)(a), Fla. Stat. and § 288.9963(2)(b), Fla. Stat.).

Broadband speeds: Speeds expressed with two numbers separated by a diagonal line “/” and a designation of the amount of data, such as “100/20 Mbps.” The first number represents the amount of data users receive (download), and the second number represents the amount of data users can send (upload).

Mbps: Megabits per second refers to millions of bits of binary information—zeros and ones—that are passed in a second.

Gbps: Gigabits per second refers to the number of bits in billions.

Crowdsourcing: The online collection of data. In this document, specifically Internet speed data.

Digital divide: The gap between people who have access to broadband services, have adopted it, and know how to use digital content (digital literacy) and those who do not.

Digital equity: The condition in which individuals and communities have the information technology capacity needed for full participation in the society and economy of the United States (Infrastructure Investment and Jobs Act, Title III, Digital Equity Act of 2021).

Digital literacy: The ability to use a variety of broadband Internet-enabled devices to engage in online services. One formal definition is “[t]he ability to leverage current technologies, such as smartphones and laptops, and Internet access to perform research, create content and interact with the world” (NTIA, 2016, p. 5).

Download: To copy (data) from one computer system to another, typically over the Internet.

Florida Broadband Deployment Act of 2021 “2021 Act”: Ch. 24, 2021 Fla. Laws, codified at §§ 288.9961-288.9963, Fla. Stat.

Funding Opportunity Announcement: A document used by federal agencies to announce the availability of grant funds to the public.

Gbps: Gigabits per second refers to the number of bits in billions.

Grant: The funding provided by the federal, state, or local government. Grant agreements take different forms, including partial project funding (i.e., requiring a match), and are contracts between the granting entity and the grantee.

Last Mile: The final leg of a network that provides service to the home, business, or community institution.

Local Technology Planning Team: Local teams built and facilitated by the Office of Broadband and composed of members representing cross-sections of the communities in which they are formed. Local Technology Planning Teams (LTPTs) work with rural communities to help them understand their current broadband Internet availability, locate unserved and underserved businesses and residents, identify assets relevant to broadband Internet deployment, build partnerships with broadband Internet service providers, and identify opportunities to leverage assets and reduce barriers to the deployment of broadband Internet service in the community. LTPTs must be proactive in fiscally constrained counties in identifying and providing assistance with applying for federal grants for broadband Internet service.

Middle Mile: The middle mile is the physical mid-section of the infrastructure required to enable internet connectivity for homes, businesses, and community institutions. The middle mile is made up of high-capacity fiber lines that carry large amounts of data at high speeds over long distances between local networks and global internet networks.

Mbps: Megabits per second refers to millions of bits of binary information — zeros and ones — that are passed in a second.

Notice of Funding Availability: Also referred to as a Notice of Funding Opportunity (NOFO), is the document used by federal agencies to announce the availability of grant funds to the public.

Office of Broadband: The Florida Office of Broadband established within the Division of Community Development in the Department of Economic Opportunity in 2020. (§ 288.9961(4), Fla. Stat.).

Premises Passed: the number of end user locations, residential homes or otherwise, passed when installing fiber technology.

Request for Quotes: An oral, electronic, or written request for written pricing or services information from a state term contract vendor for commodities or contractual services available on a state term contract from that vendor. (§ 287.012(24), Fla. Stat.).

Request for Proposal (RFP): A written or electronically posted solicitation for competitive sealed proposals. (§ 287.012(23), Fla. Stat.).

Sustainable adoption: The ability for communications service providers to offer broadband Internet services in all areas of this state by encouraging adoption and use levels that allow for these services to be offered in the free market absent the need for governmental subsidy. (§ 288.9961(2)(e), Fla. Stat.).

Underserved: A geographic area of this state in which there is no provider of broadband Internet service that offers a connection to the Internet with a capacity for transmission at a consistent speed of at least 100 megabits per second downstream and at least 10 megabits per second upstream. (§ 288.9961(2)(f), Fla. Stat.).

Unserved: 1. A geographic area of Florida in which there is no provider of broadband Internet service. (§ 288.9961(2)(g), Fla. Stat.); or 2. In the context of Attachment of Broadband Facilities to municipal electric poles, no retail access to the Internet at speeds of at least 10 megabits per second for downloading and 1 megabit per second for uploading. (§ 288.9963(e), Fla. Stat.).

Upload: To transfer (data) from one computer to another, typically over to one that is larger or remote from the user or functioning as a server.

Acronyms, Abbreviations, and Initialisms

ADSL – Asymmetric Digital Subscriber Line

BEAD – Broadband Equity, Access, and Deployment

BIP – Broadband Initiatives Program

BTOP – Broadband Technology Opportunities Program

CAF – Connect America Fund

CBRS – Citizens Broadband Radio Service

CLEC – Competitive Local Exchange Carriers

CPF – Capital Projects Fund

CTC – Community Technology Centers

DBO – Design-Build-Own

DEO – Department of Economic Opportunity

DOCSIS – Data Over Cable Service Interface Specifications

DSL – Digital Subscriber Line

FCC – Federal Communications Commission

Gbps – Gigabits per second

HFC – Hybrid Fiber-Coax

IIJA – Infrastructure Investment and Jobs Act

IOU – Investor-owned utility

ISP – Internet service provider

LTPT – Local Technology Planning Team

Mbps – Megabits per second

NTIA – National Telecommunications and Information Administration

PCC – Public Computer Centers

PSC – Florida Public Service Commission

PURC – Public Utility Research Center in the Warrington College of Business of the University of Florida

RAO – Rural Areas of Opportunity

RDOF – Rural Digital Opportunity Fund

REC – Rural electric cooperative

RFP – Request for Proposal

WISP – Wireless Internet Service Provider

DRAFT

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Appendix A

Areas for Further Research and Exploration

PURC identified two policy topics that may impact the implementation of this Strategic Plan and achievement of the goals of the Broadband Deployment Act of 2021 (“2021 Act”; Ch. 24, 2021 Fla. Laws, codified at §§ 288.9961-288.9963, Fla. Stat), but for which further research is needed. Analysis of the impact of existing policies and potential policy changes will be required to ascertain whether Florida law in these should be changed to support efforts undertaken to implement the 2021 Act. Those policy areas are:

- I. Pole Attachments
- II. Suggested Further Action For Pole Attachments
- III. Municipal Broadband Internet
- IV. Suggested Further Action For Municipal Broadband Internet

Each is discussed briefly in the sections that follow.

I. Pole Attachments

Pole attachment prices. Florida Statutes provide that “a broadband provider shall receive a promotional rate of \$1 per wireline attachment per pole per year for any new attachment necessary to make broadband service available to an unserved or underserved end user within a municipal electric utility service territory for the time period specified in this subsection.” (§ 288.9963(3), Fla. Stat. (2021)). Otherwise, municipal utility pole attachment prices are unregulated in Florida, except by their city boards or other governmental bodies. Pole attachment prices for rural electric co-ops are also unregulated, except by their co-op boards.

Regarding prices charged for pole attachments, the questions for policymakers are:

- What do research findings suggest with respect to the impact of unregulated pole attachment prices on broadband Internet deployment?
- What does research suggest about the impact of the regulatory framework on such prices?

Mode of regulation. In response to the first question, there appear to be no studies finding a statistically significant connection between unregulated pole attachment prices and rural broadband deployment, and there appears to be no research on whether such prices create barriers to entry. At the time of writing, the rural co-ops themselves do not appear to be developing broadband businesses, and existing pole attachment rates will be a cost for broadband providers to do business. Furthermore, as is described in the next section titled “Municipal Broadband,” municipalities are only rarely involved in providing broadband services in Florida. As such, the attachment prices will be included in the amount of subsidy providers demand for deploying services in rural areas.

In response to the second question, broadband providers bear certain costs for attaching broadband equipment to existing poles, and those costs are passed on to their retail customers. The hypothesis here is that the cost to customers may be affected by the mode of regulation. Utilities are regulated in different manners depending on whether they are investor-owned utilities (IOUs), co-ops, or municipal utilities. The IOUs are rate regulated in Florida by the Florida Public Service Commission (PSC), rural electric cooperatives (RECs) are rate regulated by their boards, and municipal utilities are rate regulated by their respective city commissions.

At least one study appeared to find a difference in the impact depending upon type of regulation. Connolly (2019) found that prices paid to IOUs are about 56 percent lower than prices paid to co-ops and about 54 percent lower than prices paid to municipally owned electric utilities on a nationwide basis. Connolly found that co-op pole attachment prices are about 31 percent lower in states that regulate the prices. Connolly also found the average price difference between co-ops and IOUs is about 60 percent in Florida. If this nationwide difference, on a percent average basis, were applied to Florida, co-op pole attachment prices would be about \$6.30 per pole per year lower than the \$20.64 price Connolly found for Florida co-ops.

Connolly (2019) is but one study, however, so one cannot draw any definitive conclusion that the type of rate regulation, as it applies to broadband equipment attachment on existing poles, affects rates paid by retail customers. Connolly falls short of estimating effects on broadband deployment or retail broadband prices.

In some instances, broadband providers have struggled to obtain clear information from rural electric co-ops on pole availability. The challenge is more about the processes of obtaining the information and not a lack of cooperation from the co-ops. Broadband Internet providers appeared to be unaware that the PSC gathers extensive information on poles as part of its work on storm hardening and storm preparedness.

II. Suggested Further Action For Pole Attachments

Monitor availability and prices of pole attachments for broadband deployment.

1. Work with the PSC to make available to broadband Internet providers information on utility poles that the PSC collects as part of its storm hardening and storm preparedness processes.
2. Monitor pole attachment prices charged by municipalities and RECs and, if the prices appear to rise faster than prices for IOUs, or if the municipal or REC prices appear to result in less competition for broadband financial support in municipally-served or coop-served rural areas relative to IOU-served rural areas, conduct an analysis on the effects on broadband and identify appropriate policy responses.
3. Monitor pole attachment progress to determine whether pole replacement costs are hindering broadband development.

Florida pole replacement legislation. It is worth noting that the issue of pole replacement costs was considered by, but did not pass, the 2022 Florida Legislature in the form of SB 1800. If passed, the bill would have created the Broadband Pole Replacement Program to be administered by DEO's Office of Broadband. The program would provide reimbursement to eligible broadband Internet providers for costs they incur when removing and replacing utility poles in unserved areas. The bill would have taken effect July 1, 2022 (The Professional Staff of the Committee on Appropriations, 2022). The *Bill Analysis and Fiscal Impact Statement* contains a summary of the issues and background including information about current pole replacement laws in Florida and the federal broadband Internet infrastructure funds. That document is accessible from the Florida Senate website.

III. Municipal Broadband

PURC Discussion: Florida Statutes effectively prohibit municipalities from providing broadband services unless a private provider is unwilling to serve the area in question. (§§ 125.421, 166.047, 196.012, 199.183, 212.08, and 350.81, Fla. Stat.). As a result, municipalities are rarely involved in providing broadband Internet services in Florida. There are important reasons for restricting a government from competing against private businesses, but some evidence suggests that different restriction policies might improve broadband Internet adoption.

The research findings below suggest that municipal provision of broadband can have positive impacts in terms of increased broadband adoption, but also that municipal broadband is rarely financially viable and that governments distort markets when they are owners of competitive telecommunications providers. These findings imply that competitive safeguards may be needed to ensure that the net effects of the municipal provision of broadband would be positive.

Broadband coverage. Whitacre and Gallardo (2020) studied the effects of state laws restricting municipal broadband. They found that states with such restrictions have lower broadband penetration. They estimated that a county in a state with such restrictions and with a broadband penetration rate of 71.5 percent could increase its penetration rate to 74.7 percent if the restrictions were removed.

Broadband provider competition. An improvement in penetration, as found in Whitacre and Gallardo (2020), would not be without costs. Hauge et al. (2008) and Hauge et al. (2009) examined municipal provision of telecommunications, only some of which was broadband¹. These studies

The economics and provisioning of non-broadband telecommunications and broadband telecommunications to make the results applicable. The primary technical difference between traditional telecommunications and broadband is that the traditional service was circuit switched whereas broadband is packet switched. Circuit switching means that when a communication channel is opened for use by a subscriber, that channel remains in the exclusive use for that subscriber's call until the subscriber disconnects the call. With packet switching, the subscriber is given capacity for communication only as needed. Otherwise, the two modes of electronic communications share the same needs for

found that municipalities provided telecommunications services primarily in areas where low population density or other economic factors make it difficult for more than one private provider to offer service. They also found that in instances where two or more private providers could economically provide service, a municipal provider providing service replaces one of the potential private providers in the market.

Broadband project financial viability. Yoo and Pfenninger (2017) and Yoo et al. (2022) examined every municipal fiber optic project they could locate in the United States from 2010 through 2019. They found 88 projects, but only 20 reported sufficient information to assess financial performance. Yoo and Pfenninger restricted their analyses to those 20 projects. The study found that it was rare for a municipal fiber project that reports financial results to be cash positive. Indeed, the 2022 study found no projects that would remain financially viable without obtaining additional funding or debt relief, and nearly 90 percent were not generating enough cash to achieve long-run solvency.

Yoo and Pfenninger (2017) and Yoo et al. (2022) identified instances where cities choose to give preferential treatment to benefit their own broadband providers through the use of subsidies. Governments have other ways to take advantage of their own enterprises relative to privately-owned rivals. For example, Edwards and Waverman (2006) found that European telecommunications regulations favored service providers in which the governments had at least partial ownership.

Finally, Yoo and Pfenninger (2017) and Yoo et al. (2022) provided a possible explanation for the Whitacre and Gallardo (2020) results, namely that the municipalities in the Whitacre and Gallardo study were effectively subsidizing broadband development (which is contrary to the 2021 Act's intent for "sustainable adoption"). This could result in increased penetration, although not necessarily because government-owned businesses do not respond in the same ways as private businesses to financial incentives that would normally lead businesses to expand output if their production costs are subsidized (Brevitz et al., 2011).

IV. Suggested Further Action For Municipal Broadband

Monitor broadband development across the state and identify the locations of unserved rural areas that persist even with financial support provided under state and federal subsidy programs.

Competitive safeguards might be considered in the future, such as accounting separations. Based on the Yoo and Pfenninger (2017) and Yoo et al. (2022) findings of poor financial performance, accounting separations could help ensure that the municipal providers are not receiving anti-competitive subsidies. Then, based on the Edwards and Waverman's (2006) findings that government owners sometimes act on incentives to discriminate against rivals, competitive safeguards might include requirements for equal access to essential resources and greater

rights of way, poles, and conduit, permitting, facility construction, etc., and have network effects and connectivity challenges.

transparency in permitting. Accounting separations might be similar to those imposed by the PSC on IOUs that enter nonutility lines of business (PSC, 2004). Equal access and transparency requirements were imposed by the FCC and state telecommunications regulators on incumbent local telephone companies under the Telecommunications Act of 1996 to safeguard competition (Jamison & Sichter, 2010).

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Appendix B

Strengths and Weaknesses of Various Technologies

Broadband Technologies

The term “broadband” contrasts with “narrowband” communications service (e.g., lower speed dial-up connections over copper telephone lines using modems).¹ Consumers now associate broadband Internet connection with the “always on” high-speed Internet connections available using various telecommunications technologies, which continue to evolve and advance.

Broadband Internet connections are provided over wired (fiber optic cable or copper wire) or wireless (radio spectrum) transmission media. These wired or wireless technologies are used for “last mile” connections of the customer’s premise (home or business) to the first point of aggregation for the Internet (i.e., the telephone company or cable TV company switch). In addition, the customer will have inside wiring and Wi-Fi equipment on the premise to connect computers and other devices — the configuration of which will also affect transmission speed and performance.²

Digital Subscriber Line (DSL)

DSL is provided over traditional telephone (copper) lines with added electronic equipment at each end of the line (DSLAM at the telephone company switch and DSL Modem at the customer premise). The availability of DSL service is limited by distance from the telephone company’s central office — availability and speed depend on how far away the premise is from the central office or remote terminal. The signal reduces as distance increases, resulting in slower speeds. In general, DSL is not available beyond 18,000 feet.

DSL is becoming obsolete in the United States. For example, AT&T stopped accepting new orders for traditional DSL in 2020 and is phasing out traditional DSL service in favor of AT&T Fiber services.³ Verizon is also phasing out the copper network that supported DSL where it has deployed its FiOS fiber optic network. However, DSL technologies are still common in rural areas and fiber-to-the-node versions of DSL (for example, AT&T’s Internet Protocol Broadband (IPBB) are being offered.

¹ Note that there are other technical differences between broadband and narrowband. See, “Narrowband vs. Broadband: Terms Explained;” <https://rockymtnruby.com/narrowband-vs-broadband/> Last Updated: March 11, 2022.

² See for example, Understanding Internet Speeds, AT&T: <https://www.att.com/support/article/dsl-high-speed/KM1010095/>.

³ Pegoraro, R. (October 3, 2020). AT&T shelving DSL may leave hundreds of thousands hanging by a phone line. *USA Today*. Also see “AT&T no longer offers DSL service.” <https://www.att.com/internet/dsl/>.

Asymmetric DSL

Asymmetric DSL means the download and upload speeds are not the same. Thus, they are “asymmetric.” Download speeds range from 5 to 35 Mbps while uploads range from 1 to 10 Mbps.⁴

Other DSL Types

Other types of DSL service have evolved which offer greater speeds than ADSL. These types include ADSL2+, VDSL2, and G.Fast and are delivered using hybrid fiber optic/copper wire facilities. AT&T uses these technologies for its IPBB offering with “expected speeds” up to 100/20 and 500/100 Mbps.⁵

I. Cable Modem

Cable TV programming was originally delivered over coaxial cable which is a solid copper wire surrounded by insulating materials. Using successive generations of DOCSIS standards⁶, cable TV companies modified their networks by adding fiber optic cable to an optical node and then using existing coaxial cable for the remaining distance to provide high-speed Internet cable modem service. This network architecture is known as a hybrid fiber-coax network (HFC).⁷ “HFC networks are predominantly fiber The remaining portion of the HFC network is coaxial cable. The coaxial network is connected to the optical fiber network at a ‘fiber node,’ where the (fiber) optical signals are converted to radio frequency electrical signals for transmission over the coaxial network to the subscriber’s home.”⁸

- **DOCSIS 3.0** supports maximum download speeds of 1 Gbps and 100 Mbps upload.
- **DOCSIS 3.1** supports maximum download speeds of 10 Gbps and maximum upload speeds of 2 Gbps.⁹ DOCSIS 3.1 is widely deployed but “real-world implementations of DOCSIS 3.1 often max out at 940 Mbps down and 35 Mbps up.”¹⁰
- **DOCSIS 4.0** when deployed will provide the capability for symmetrical multigigabit broadband service.¹¹

⁴ DSL vs. Cable vs. Fiber: Which Internet Option is the Best? <https://broadbandnow.com/guides/dsl-vs-cable-vs-fiber> Last Updated: March 14, 2022.

⁵ Understanding Internet Speeds. <https://www.att.com/support/article/dsl-high-speed/KM1010095/>.

⁶ Data over Cable Service Interface Specifications or DOCSIS as maintained by CableLabs.

⁷ Hybrid Fiber-Coaxial Networks, CableLabs. <https://www.cablelabs.com/hfc-networks>.

⁸ A “101” on DOCSIS Technology: The Heart of Cable Broadband, CableLabs. October 14, 2020. <https://www.cablelabs.com/blog/a-101-on-docsis-technology-the-heart-of-cable-broadband>.

⁹ DOCSIS 3.0 vs. 3.1: What’s the difference between the two cable modems? By David Anders, CNET, December 16, 2021.

¹⁰ CableLabs sticks a fork into DOCSIS 4.0 specification, by Mike Robuck, Fierce Telecom, March 26, 2020. <https://www.fiercetelecom.com/telecom/cablelabs-sticks-a-fork-into-docsis-4-0-specification>

¹¹ A “101” on DOCSIS Technology: The Heart of Cable Broadband, CableLabs.

II. Fiber Optic Cable/Fiber to the Home

Fiber optic cable contains at its center a very thin ultra-pure glass strand about the thickness of human hair over which data is transmitted using light sent by laser electronics.¹² These strands are bundled into multi-fiber cables of various sizes (e.g., 288 fibers). Broadband speeds vary depending on several factors, including the optical networking gear used and how the service provider configures the service. Fiber has the capability to provide very high speeds which are symmetrical. For example, AT&T Fiber offers symmetrical speed tiers ranging from 5 Mbps to 5 Gbps.¹³ Also, Frontier recently announced a network-wide launch of 2 Gig fiber service.¹⁴ Fiber is also the most expensive broadband Internet technology to deploy since it uses dedicated fiber optic cable to each premise served.

III. Wireless/Radio Frequency (RF) Technology

There is a common misperception that “wireless service” means it is wireless all the way from the user’s smartphone to the other end of the communication, whether a voice call to another person, browsing a website, or streaming video. This is not the case. The wireless portion of the communication is typically relatively short, from the smartphone to the antenna, which is supporting the communication (either a “5G” small cell antenna on a pole or streetlight, a “4G” antenna on a taller tower, a fixed wireless receiver on a premise, or a Wi-Fi connection). The rest of the data transmission from the antenna or Wi-Fi connection occurs over the landline network, typically via fiber.

Radio spectrum in the United States is allocated and assigned by the FCC among specific uses and users, including mobile wireless, fixed wireless, and satellite services.

IV. Fixed Wireless

Fixed wireless access provides broadband Internet connection between two stationary points using radio signals, such as from a building or tower (access point) to a receiver located at the customer premise. The tower is typically connected to the Internet via fiber optic lines. Fixed wireless services depend on a line of sight between the tower and receiver with a range of up to 10 miles. Connectivity is a function of physics where lower frequencies can penetrate objects or clutter and other designs can go around corners or obstructions.¹⁵

¹² Frontier Communications. <https://blog.frontier.com/2021/01/what-is-fiber-optic-internet/>.

¹³ How it Works – Optical Fiber, Corning Glass <https://www.corning.com/worldwide/en/innovation/the-glass-age/science-of-glass/how-it-works-optical-fiber.html>. Also see, Understanding Internet Speeds. <https://www.att.com/support/article/dsl-high-speed/KM1010095/>.

¹⁴ Frontier heavily promotes network-wide 2 Gig fiber service launch, by Matt Vincent, Broadband Technology Report. February 22, 2022. <https://www.broadbandtechreport.com/fiber/article/14234391/frontier-trumpets-networkwide-2gig-fiber-service>

¹⁵ Fixed Wireless Access Solutions: Tomorrow’s Internet Today, page 7, WISPA.org, 2022.

Citizens Broadband Radio Service (CBRS) refers to a spectrum recently authorized by the FCC for shared use including general use on an unlicensed basis.¹⁶ CBRS can be used to deliver fixed wireless access and is expected to outperform Wi-Fi for in-building use. It is also anticipated that CBRS will be used to extend 5G wireless service.

Fixed wireless service is provided by Wireless Internet Service Providers (WISPs), predominantly serving rural markets.

V. Mobile Wireless

5G is the fifth generation of mobile wireless technology driving evolution of the wireless communications technology platform. First generation, 2G and 3G wireless service was provided beginning in the 1980s and 1990s using large towers, and 4G was characterized by the development of “apps” that needed sustained reliable connectivity, which in turn drove antenna densification, while 5G relies upon even more closely spaced, small antennas. 5G uses low-power transmitters with coverage radius of approximately 400 feet. 5G thus requires closer spacing of antennas and more of them. Small cells bring the network “closer” to wireless service users to deliver increased data capacity, faster connectivity speeds, and an overall better wireless service.

5G networks operate on frequencies in three bands¹⁷ using millimeter wavelengths — the highest of which is anticipated to offer download/upload speeds of 1 Gbps. The actual speed and range the consumer receives depends on a variety of factors, including what frequency is being used by the service provider: low-band, mid-band, or high-band. There are tradeoffs among the different bands, between speed and distance/coverage. General observations:

- Low-band frequencies work well across long distances and in rural areas; speeds are greater than 4G but slower than other 5G frequencies.
- Mid-band frequencies are currently sought after since they permit greater speeds while covering relatively large areas.
- High-band frequencies provide the fastest speeds but in more limited circumstances, such as close to the antenna and in areas without physical obstructions (i.e., windows, buildings, walls). Thus, high band will work well in dense areas where antennas can be placed every few hundred feet. This spectrum delivers the high speeds that are commonly associated with 5G.
- 5G networking will be a combination of low, mid, and high-band frequencies.
- Using 5G service requires using a 5G-ready device.

¹⁶ What is CBRS? By Linda Hardesty, Fierce Wireless June 23, 2020. <https://www.fiercewireless.com/private-wireless/what-cbrs>

¹⁷ When is 5G coming to you? The definitive guide to the 5G network rollout, by Tom’s Guide Staff, April 29, 2021. <https://www.tomsguide.com/special-report/when-is-5g-coming-to-you-the-definitive-guide-to-the-5g-network-rollout>

VI. Satellite Connections

Satellite technology provides near ubiquitous geographic coverage for the United States. Satellite Internet has vastly improved from its inception in the 1990s; however, it has been viewed as a solution primarily for rural and underserved areas. Like other Internet services using radio spectrum, satellite Internet service is affected by line-of-sight considerations such that trees and mountains interfere with access as does weather conditions such as rain or snow.¹⁸

Satellites in “**high earth orbit**” are 22,230 miles high. This distance creates the highest latency across all technology types according to measurements by the FCC (628 ms).¹⁹ Satellites launched by HughesNet and ViaSat can offer speeds up to 25 Mbps or greater, with speeds up to 100 Mbps promised for coming years.²⁰ While satellite coverage is ubiquitous, the adoption rate for 10/1 service is 1 percent (residential subscriptions divided by deployed households).²¹

“**Low earth orbit**” satellites “circle the planet at only around 300 miles above the surface. The shortened distance can drastically improve the Internet speeds while also reducing latency.”²² Starlink can deliver up to 150 Mbps Internet service.²³ Amazon also plans deployment of satellite Internet service (“Project Kuiper”).²⁴

VII. Broadband Performance Metrics and Benchmarks

The typical consumer considers performance of broadband transmission media measured primarily by speed (upload and download) and latency (duration of the end to end “round trip” communication).

¹⁸ See for example, “HughesNet is available coast to coast in the U.S. All you need is a clear view of the southern sky.” <https://internet.hughesnet.com/order-online/product-selection/>. Also, “Viasat Internet is available in all 50 states and covers much of the U.S. population in remote and rural areas where other internet companies offer slower service, or no service at all.” <https://www.viasat.com/satellite-internet/faq/>

¹⁹ *Id.*

²⁰ Satellite Internet in the USA, by Tyler Cooper, BroadbandNow. October 26, 2021. <https://broadbandnow.com/Satellite>

²¹ Fourteenth Broadband Deployment Report; In the Matter of Inquiry Concerning Deployment of Advanced Telecommunications Capability to All Americans in a Reasonable and Timely Fashion; GN Docket No. 20-269; Before the Federal Communications Commission, FCC 21-18, Released January 19, 2021, at footnote 121. (The “Fourteenth Broadband Deployment Report”). <https://www.fcc.gov/reports-research/reports/broadband-progress-reports/fourteenth-broadband-deployment-report>

²² “What is Starlink? SpaceX’s Much-Hyped Satellite Internet Service Explained, by Michael Kan, February 10, 2022. PC Magazine. <https://www.pcmag.com/how-to/what-is-starlink-spacex-satellite-internet-service-explained>

²³ *Id.*

²⁴ Amazon Sets the Stage for Five Years of Project Kuiper Satellite Internet Launches, by Ry Christ, CNET. April 5, 2022. <https://www.cnet.com/news/amazon-sets-the-stage-for-five-years-of-project-kuiper-satellite-internet-launches/>

Speeds are measured in Megabits per second or “Mbps.” One Mbps represents the capacity to transmit 1 million bits of data each second. Download and upload speeds are measured separately. Important speed thresholds affecting infrastructure funding:

- The **FCC threshold** for “broadband service” is 25 Mbps download and 3 Mbps upload. This definition is reviewed annually by the FCC, considering what “typical” users do with their broadband connection. The FCC is regularly urged to increase the speed threshold²⁵ and make the speeds “symmetrical” (identical download and upload speeds). Increasing the broadband threshold speeds would among other things increase the cost of FCC broadband support programs funded through the Universal Service Fund.
- The **IJA threshold** for “broadband service” is 100 Mbps download and 20 Mbps upload.
- The FCC’s **RDOF** relies on reverse auction bids using four performance tiers: Minimum (25/3 Mbps); Baseline (50/5 Mbps); Above Baseline (100/20 Mbps); and Gigabit (1 Gbps/500 Mbps).
- Florida Statutes defines “Broadband Internet service” as one “that offers a connection to the Internet with a capacity for transmission at a consistent speed of at least 25 [Mbps] downstream and 3 [Mbps] upstream” (25/3 Mbps). (§ 288.9961(2)(a), Fla. Stat.).

Latency is measured in milliseconds and is the time it takes for a data packet to travel across a network from one point on the network to another — the request-response time.²⁶ “Physical distances, number of network hops, routing protocols, and network equipment are generally more significant factors” contributing to latency.²⁷ The FCC’s RDOF defines “low latency” as less than or equal to 100 milliseconds, and “high latency” as less than or equal to 750 milliseconds.²⁸

VIII. Broadband Technology Trends and Characteristics

1. The customer’s location will be the biggest factor in determining broadband technology options. Rural areas will tend to have fewer options.
2. DSL has become obsolete due to distance limitations (availability limited to locations 18,000 feet or less from the switch) and speed limitations. DSL download speeds typically do not exceed 6 Mbps, which is one-quarter of the FCC’s benchmark for broadband: 25 Mbps.
3. DSL is often found in areas where cable or fiber Internet is not available. It is often cheaper than satellite or other services.

²⁵ Broadband: FCC Should Analyze Small Business Speed Needs, Report to Congressional Addressees, United States Government Accountability Office, GAO-21-494, July 2021.

²⁶ Eleventh Measuring Fixed Broadband Report, at page 10.

²⁷ Cable Broadband Technology Gigabit Evolution, CableLabs, Fall 2016, at page 16.

²⁸ RDOF Report and Order, at paragraph 32. See also, Auction 904: Rural Digital Opportunity Fund, <https://www.fcc.gov/auction/904/factsheet#technology>.

4. Fixed wireline Internet connections presently offer higher speeds and greater reliability since they are not affected by weather or line-of-sight factors that affect wireless radio transmissions, although deployment of 5G wireless service allows significantly higher speeds.
5. “Fixed broadband services... tend to offer higher speeds with greater reliability and higher usage allowances than mobile services, which can make fixed broadband services more suitable for, among other things, large file transfers, long-form video, desktop schoolwork, and sharing the same connection with multiple devices and users within the same home.”
6. Fiber optic Internet access is considered to support the highest speeds and reliability, as compared to satellite, fixed wireless and cable modem hybrid fiber/coax.
7. The higher costs associated with connecting fiber optic cable to each premise have limited unsubsidized deployments to urban and suburban areas which are more densely populated.
8. Cable internet is more widely accessible than fiber optic Internet.
9. Fixed wireless provides advantages where terrain, distance, or low density preclude placement of fiber optic or other wired technology. Fixed wireless is deployed in Florida serving previously unserved areas, for example in Hardee County.
10. Fixed wireless and satellite services require the installation of properly located external fixed receivers or antennas/satellite dish.
11. Wireless Mobile speeds vary even over small local areas.
12. 4G and 5G wireless services rely on the landline network to connect towers and antennas. These connections increasingly use fiber optic cable. Also, Wi-Fi coverage is supported by a fixed broadband connection. Similarly, Starlink relies on Google’s private fiber-optic network for connections.²⁹
13. Speeds can decrease significantly with increased usage of shared facilities/capacity due to contention for capacity (network congestion). Examples include when many users contend for wireless capacity at a sporting or entertainment event, or in the evening when many cable Internet users contend for capacity for streaming video applications such as Netflix.
14. The FCC is optimistic that “increased deployment of 5G may allow mobile services to serve as an alternative to fixed services.”³⁰ The FCC is expanding access to the spectrum to facilitate broadband deployment in the future.³¹ “The Commission has made available significant amounts of spectrum in the low-, mid-, and high-frequency bands for mobile providers to develop and deploy new technologies like 5G and to support existing 4G LTE networks.”

²⁹ Google wins cloud deal from Elon Musk’s SpaceX for Starlink Internet connectivity, by Jordan Novet, CNBC. May 13, 2021.

³⁰ Fourteenth Broadband Deployment Report, at page 6. However, the FCC has not concluded that “consumers will treat mobile 5G as a substitute for fixed services.”

³¹ Fourteenth Broadband Deployment Report, at page 4 and page 43, “Access to Spectrum.”

15. Wireless providers are beginning to use 5G to provide home internet connections, including T-Mobile 5G Home Internet,³² Verizon's 5G Ultra-Wideband³³ and Starry (various plans). Prices range from \$30 to \$80 per month, and maximum download speeds range from 35 Mbps to 1 Gbps without data caps.³⁴
16. Pricing for some service providers and offerings include data caps or limitations/added costs on data usage. Satellite services, wireless services, and fixed wireless services can include extra charges for data usage above a set level, or slow download speeds at a set level for the rest of the billing period. Data caps for fiber optic and cable internet are less prevalent.
17. Prices for SpaceX's Starlink satellite service have increased. The monthly charge for broadband Internet access increased from \$99 to \$110. The one-time charge for the user installation kit increased from \$499 to \$549.³⁵
18. The scalability and viability of low earth orbit satellites for broadband Internet is not yet proven, and there are other concerns stemming from the volume of satellites to be placed into low earth orbit and their potential impact on astronomy.

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³² <https://www.t-mobile.com/news/offers/t-mobile-launches-5g-home-internet-in-metro-by-t-mobile-stores>

³³ https://www.verizon.com/5g/?kpid=go_cmp-2036930567_adg-78854198304_ad-572787342178_kwd-520668201555_dev-c_ext-_prd-_sig-Cj0KCQjwI7qSBhD-ARIsACvV1X1eYK3UoByrLY4I2WIdqR1yUKLiXLFfb-AdezW8IF0mLF3Si5KqgRsaAnpMEALw_wcB&cmp=KNC-C-5GNetwork-NON-R-BPLU-NONE-NONE-2K0VZ0-COE-GAW-3006&gclid=Cj0KCQjwI7qSBhD-ARIsACvV1X1eYK3UoByrLY4I2WIdqR1yUKLiXLFfb-AdezW8IF0mLF3Si5KqgRsaAnpMEALw_wcB

³⁴ Could 5G Home Internet Be the Solution to Your Broadband Needs? By Trey Paul, CNET. March 6, 2022. <https://www.cnet.com/home/internet/what-is-5g-home-internet/>

³⁵ Maidenberg, M. (March 25, 2022). Inflation Boosts SpaceX Prices. *The Wall Street Journal*. p. B4.

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Appendix C

Interviews with the Miccosukee and Seminole Tribes of Florida

PURC interviewed Tribal representatives in Florida regarding their broadband Internet needs and plans, talking with both the Seminole Tribe and the Miccosukee Tribe. PURC spoke with Foo Giacobbe, who leads information technology services for the Seminole Tribe. PURC also spoke with Curtis Osceola, who is the Chief of Staff for the Miccosukee Tribe. The interviews are summarized below.

The Seminole Tribe decided two to three years ago that broadband Internet development should be a priority, and launched a broadband Internet development program. In the first phase of the program, the Tribe is establishing towers for expanding cellular service, emphasizing fourth generation (4G) cellular technology known as Long-Term Evolution (LTE). Consultants were engaged for the planning of these towers, and the Tribe is currently in the construction phase. These towers will be available to AT&T, Verizon, and T-Mobile to provide LTE services in the area. The tower expansion includes the construction of fiber optic cabling to connect the towers. Phases two through four of the Tribe's broadband Internet program will include the expansion of dark fiber across Tribal lands and to members' homes, interconnecting all Tribal areas throughout the state, and the development of a Tribe-owned internet and television services provider. These phases could result in the Tribe's network replacing the broadband Internet networks provided by legacy telephone companies in Tribal areas. The Tribe is exploring whether to launch the Tribe-owned provider as a new enterprise or to purchase an existing broadband Internet provider and use it to provide service within the Tribal areas.

PURC's research for the Office of Broadband found that greater proportions of Native Americans in a geographic area are significantly associated with lower broadband Internet availability and less broadband Internet adoption, more so than for any other ethnic or racial group. For the Seminole Tribe, this negative correlation between broadband Internet and the presence of Seminole Tribe members apparently resulted from the Tribe lacking interest in broadband Internet and having a strong interest in maintaining its privacy. The strong interest in privacy remains, but the Tribe believes that broadband Internet should now be a priority. The Seminole also believes that its broadband Internet strategy will continue to protect privacy for the Tribe and its members. Broadband Internet affordability is not an issue for Tribal members.

The Seminole Tribe's primary challenges for deploying broadband Internet are land clearing, bird migration, and endangered species. Network deployment must take into consideration the Tribe's ties to the land and to nature. Once the necessary considerations are addressed, the Seminole Tribe's control of its land enables it to act quickly. The Tribe does not believe that it wants or needs state help at this time as it has its plans in place, is executing these plans, and has the necessary funding. The Seminole Tribe is willing to stay engaged with the state and to engage with other tribes to pass along the lessons it has learned from its broadband Internet program.

The Miccosukee Tribe is in a different situation than the Seminole Tribe. The Miccosukee Tribal leaders only recently determined that broadband Internet should be a priority and have not taken many steps toward broadband Internet expansion. At present, there are fiber optic cables surrounding the reservation, but fiber optics do not have much of a presence on reservation lands.

A primary interest of the Tribe is expanding broadband Internet for educational purposes. Schools have fiber optics. However, students learning from home lack broadband Internet, so there will be a desire to expand home access.

One of the challenges for the Miccosukee Tribe is the lack of a central authority to address barriers to network deployment, such as the need to work around other utility services, primarily water services. Regarding utility services, the Tribe has its own water utility and is installing a new system. Florida Power & Light provides electricity, and its lines are above ground. Comcast has run some fiber optics on the reservation, but most houses that have broadband Internet have DSL service, which is a legacy telephone company technology. Cellular coverage is good on Tribal lands. The Miccosukee Tribe has cellular towers that it leases to AT&T, Verizon, and T-Mobile. There are very few dead zones.

Broadband Internet affordability is not a problem for either Tribe. Also as with the Seminole Tribe, the Miccosukee Tribe's lack of broadband Internet has resulted from a lack of interest among Tribal leaders and members. However, now there is demand for broadband Internet, and the Tribe is ready to move forward. There are some independent camps on the reservation. People in these camps are descendants of Miccosukee people but are not Tribal members. The camps are remote and are likely to need satellite service for broadband Internet. The Miccosukee Tribe is interested in working with the state to develop Broadband Internet development on the Tribe's lands. This would include helping to develop grant applications and facilitating a Local Technology Planning Team.

In summary, while the Seminole Tribe and Miccosukee Tribe are in different situations with respect to broadband Internet development, the difference can reasonably be attributed to timing: The Seminole Tribe established broadband as a priority sooner than did the Miccosukee Tribe, and therefore, is farther along. There may be other reasons for the differences, but those are not obvious from the interviews. The Seminole Tribe wants to continue to work independently of the state. The Miccosukee Tribe is ready and willing to engage with the state to expand broadband Internet on reservation lands.

Appendix D

Methodology and List of Interviewees

The Office of Broadband contracted with PURC at the University of Florida to assist with the development of Florida’s Strategic Plan for Broadband. The methodology used to develop this Strategic Plan included interviews with a variety of stakeholders in Florida. In addition, this Strategic Plan is informed by reviews of other states’ broadband Internet plans, pertinent state and federal laws, regulations, funding guidance documents, PURC’s report, *The Status of Broadband in Florida* (2022, February 28), a literature review (Appendix D), information about broadband Internet technologies (Appendix B), and a table on state and federal funding programs (Appendix E).

I. Interviews

Interviews informed much of the strategy development. Interviews with various stakeholder groups included broadband ISPs and individuals who work for or are affiliated with: local governments, local communities and regional economic development organizations, state government agencies, emergency management and internet security entities, other states’ broadband offices, think tanks, consulting groups, foundations, federal agencies, and organizations representing consumer groups. Representatives from the following entities were interviewed:

Industry – Company or Association		
AT&T	Florida Electric Cooperatives Association	Nokia
Charter Communications, Inc.	Florida Internet and Television	T-Mobile
Conexon	FPL (Florida Power and Light)	
Crown Castle	Gainesville Regional Utilities/ GRUCom	

Florida State Government and Associated State Entities		
Enterprise Florida, Inc.	Florida Department of Management Services, Division of Telecommunications	Florida Public Service Commission
Florida Department of Economic Opportunity	Florida Department of State, Division of Library and Innovation Services	Florida Division of Emergency Management

<u>Florida State Government and Associated State Entities</u>		
Florida Department of Education, Division of Public Schools and Division of Technology & Innovation	Florida Department of State, Division of Library and Innovation Services	Heartland Education Consortium
Florida Department of Health, Office of Rural Health	Florida Department of Transportation, Office of Policy and Planning	University of Florida, Institute of Food and Agricultural Sciences

<u>U. S. Government</u>	
Federal Communications Commission	U.S. Department of Treasury
National Telecommunications and Information Administration	

<u>Local Government</u>		
Alachua County Public Schools	Florida Municipal Electric Association	Levy County Library District
Calhoun County	Florida Regional Councils Association	Okeechobee County Commission
Central Florida Regional Planning Council	Florida Small County Coalition	Wakulla County Commission
Florida Association of Counties	Gainesville Regional Authority	Walton County, Clerk of County and County Administration
Florida Rural Electric Cooperative Association	Hardee County, Economic Development Council	City of Winter Haven, Chief Information Officer

<u>Think Tanks, Consultants, and Other Organizations</u>		
The American Association of Retired Persons (AARP)	Boston Consulting Group	Pew Charitable Trusts

American Enterprise Institute	Brookings Institute	VisionFirst Advisors (for Weyerhaeuser)
Benton Institute	Ernst & Young	
Blandin Foundation	KPMG	

State Broadband Offices		
Arizona Commerce Authority	Hawaii Broadband and Digital Equity Office	North Carolina Division of Broadband and Equity, Department of Information Technology
Colorado Office of Information Technology	Illinois Office of Broadband	
Connect ME (Maine)	Minnesota Office of Broadband Development	

Appendix E

Office of Broadband Activities and Outreach

The Office of Broadband has been directed to perform the following duties:

- Create a strategic plan to increase the use of broadband internet service in Florida. The plan must include a process to review and verify public input on the broadband Internet transmission speeds and availability, federal broadband activities, and funding sources.
- Build and facilitate local technology planning teams, especially with community members from the areas of education, healthcare, business, tourism, agriculture, economic development, and local government. The planning teams shall work closely with communities to understand current broadband availability, identify assets for broadband deployment, build partnerships with service providers, identify underserved and unserved residents and businesses, identify funding opportunities, and provide assistance with applying for federal grants for broadband internet service.
- Provide technical and planning assistance to communities.
- Establish the Broadband Opportunity Program to award grants, subject to appropriations, to applicants who seek to expand broadband to unserved areas and apply for federal funds.
- Develop a map of broadband Internet service availability throughout the state consistent with the Federal Communications Commission's (FCC) Digital Opportunity Data Collection program. The map must identify where broadband-capable networks exist, service is available to end users, gaps in rural areas, and download and upload transmission speeds. DEO must receive and verify public input to identify locations in which broadband internet service is not available, including locations with transmission speeds below FCC standard of 25 megabits per second downstream and 3 megabits per second upstream. The map must be completed by June 30, 2022.
- Encourage public use of Internet service through broadband grant programs.
- Monitor, participate in, and provide input on FCC proceedings that are related to the geographic availability and deployment of broadband internet in Florida.
- Act as a repository for the attachment of broadband facilities to municipal electric utility poles.

The Office of Broadband is preparing for federal funding opportunities with the following in mind:

- Following the Governor's priorities, building the state workforce, transportation, and housing sectors will involve building out the broadband infrastructure throughout the state, specifically in unserved and underserved communities.
- Ensuring each of the funding programs, the Broadband Opportunity Program, the Capital Projects Fund, and the Infrastructure Investment and Jobs Act, provide the end user with access to minimum scalable speeds of 100mbps download and 10mbps upload.
- Connecting un/underserved areas and communities with these speeds will be an important driver for future economic development, workforce growth and stability, healthcare access, and educational opportunities for all residents and businesses in the area.

DEO Local Technology Planning Teams:

- Rolled out the Local Technology Planning Teams initiative and toolkit. The goal of the statutory initiative is to build out teams involving industry sector leaders in each county to identify locations in which broadband internet is not available, how broadband expansion will impact the community's education, workforce, and telehealth initiatives, and prepare potential broadband expansion projects for the community. The LTPTs are provided with direction on timeframes of the meetings, identifying participants from the areas of education, healthcare, business, tourism, agriculture, economic development, and local government. The planning teams work closely with rural communities in their county to better understand current broadband availability, identify assets for broadband deployment, build partnerships with service providers, identify underserved and unserved residents and businesses, identify funding opportunities, and provide assistance with applying for federal grants for broadband internet service. As of June 1, all 67 counties have identified leaders, and 27 counties have established teams, with 21 teams actively meeting. There is also one active regional team consisting of four counties. The Office of Broadband hosts a monthly call with all counties to discuss status of the meetings, answer questions, and share best practices. The culmination of this effort will be diverse community industry sectors working together to develop measurable goals, objectives, and benchmarks that will keep Florida's broadband adoption and expansion efforts on track at every level of government in subsequent years.

Outreach to National Partners:

- Reached out to NTIA for information on mapping projects in other states.
- Participate in the NTIA's State Broadband Leaders Network meetings and summits.
- Reached out to other state broadband offices in search of best practices pertaining to grant programs and mapping data.
- Partnered with the United States Department of Treasury on the Capital Projects Funding.
- Partnered with The Pew Charitable Trusts' broadband education and training initiative (BETI).
- Continual review of FCC meeting agendas for broadband topics.
- Spoke with SpaceX regarding its broadband expansion plans.
- Corresponded with U.S. Congressman Darren Soto, who serves on the subcommittee for Communications and Technology, regarding Office of Broadband funding applications.

Outreach to State Partners:

- Hosted a call with state agencies to discuss upcoming opportunities related to broadband Internet expansion and collaboration with other broadband related programs.
- Spoke with the Seminole and Miccosukee Tribes of Florida on potential funding opportunities for broadband expansion.
- Spoke with Florida Department of Management Services (DMS) on E-Rate and other broadband related programs.
- Met with Small Counties Coalition and the Florida Association of Counties to discuss Office of Broadband initiatives, partnering, and planning.
- Spoke with Florida Department of Education on the Career, Technical, and Adult Education program for potential partnership opportunities with the Florida Office of Broadband.

- Spoke with the Florida Municipal Broadband Alliance on directives of the Florida Office of Broadband and upcoming partnership opportunities.
- Spoke with statewide Internet Service Providers (ISP) regarding their partnership with the Florida Office of Broadband.
- Spoke with the Office of Rural Health at DOH regarding partnerships.
- Met with the Allapattah Collaborative about broadband expansion in the South Florida neighborhood.
- Met with the Communications Workers of America to discuss their union efforts.
- Met with the Florida League of Cities to discuss future partnerships.
- Spoke with the Department of State, Division of Libraries, on future partnerships and needs.

Conversations with Management Consultants and Service Providers:

- Spoke with various management consultants and Internet service providers around the nation on broadband best practices, grant program considerations, strategic planning discussions, and mapping insights.

DEO Website:

- Posted the Faster Florida Broadband Availability Map and link to speed test.
- Posted information on the Local Technology Planning Teams and the Broadband Planning Toolkit.
- Continuously update the website with federal and state funding opportunities.
- Posted a survey on broadband accessibility for public input and inclusion in the Florida Strategic Plan for Broadband.
- Provided sign-up option for interested parties to receive communications from the Office of Broadband.

DEO Broadband Workshops, Survey and Florida Strategic Plan for Broadband:

- Partnered with the Florida Regional Councils Association to host and facilitate ten regional workshops with industry sector leaders and statewide partners in February 2021. The information gathered from these workshops continues to help design state programs and resources for broadband adoption, deployment, expansion, and resiliency, as well as provide guidance for the Florida Strategic Plan for Broadband.
- Conducted a statewide survey on the availability and accessibility of broadband Internet in March 2021 to collect input from the public. Responses continue to help the office identify the status of broadband Internet and understand how the public defines broadband expansion in communities across the state.
- Received a Department of Commerce, Economic Development Administration (EDA), grant for \$1,000,000. The grant allowed the Office to partner with the University of Florida Public Utilities Research Center (PURC) to develop a statewide broadband study and Florida Strategic Plan for Broadband, due to the Governor and Florida Legislature on June 30, 2022. PURC developed both the Status of Broadband in Florida study and the Florida Strategic Plan for Broadband.

DEO Broadband Availability and Speed Test Map:

- The Office contracted with GEO Partners, LLC, to develop the Florida Broadband Availability and Speed Test Map to show broadband Internet service availability throughout the state. This is a geospatial map that identifies where broadband capable networks exist, where service is available to end users, gaps in rural areas, and download and upload transmission speeds.
- The Office also contracted with Strategic Digital Services (SDS) on a statewide “Faster Florida Broadband” marketing campaign to encourage citizens and businesses to take a speed test. These speed tests provide valuable public feedback on Internet availability and speed in locations throughout Florida, helping the Office identify unserved and underserved locations around the state. This marketing campaign compliments and supports the data provided in the GEO Partners, LLC, map.

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Appendix F

Literature Review

This literature review is designed to offer insight into programs that have been empirically analyzed and that address federal, state, local, and private initiatives to increase broadband Internet access and adoption rates. The following sections provide results of various supply-side and demand-side programs that have been studied.

I. Access Studies

- **Subsidies to encourage broadband Internet provision** have not been shown to increase access or adoption. Studies are limited; one study found either no relationship or a negative relationship between high-cost support, cable speeds, and availability.
- Empirical studies of **programs to eliminate barriers to provider entry** (i.e., supply-side barriers) are sparse; however, it has been shown that state-level policies are ineffective (universal service programs targeted at underserved areas do not boost penetration). Guaranteed rights of way by ISPs is strongly correlated with increased penetration, as are some forms of unbundling regulations. A positive correlation has also been found between diffusion and the presence of a broadband Internet office at the state level and state-level funding.
- **Facilities-based competition** has been shown to be more successful than service-based competition in improving access, quality, and speed and decreasing price.
- **Municipal broadband Internet provision** has been shown to be financially unsuccessful, therefore, generally non-viable.
- With respect to **public-private partnerships**, we found no statistical studies of public-private partnerships employed to promote broadband Internet diffusion or adoption, although several case studies concluded that, while programs had success with respect to broadband Internet deployment, adoption goals were not met.
- The **E-Rate program** has not been shown to affect academic outcomes or have any bearing on spurring provider competition in broadband Internet markets.
- **Public Computing Centers** were not found to have any effect on home broadband Internet adoption, economic outcomes, or academic achievement.

II. Adoption Studies

- Studies of programs addressing **price as a barrier to adoption** generally have been based on survey respondents rather than empirical analysis; we did not find any recent empirical

studies that determine price to be a significant barrier to adoption for most unconnected households.

- Studies of programs addressing **lack of computer ownership** have concluded that providing computers (or subsidized computers) does not increase broadband Internet adoption; however, one study shows that specific groups were more likely to be adopters of mobile-only Internet access. While we did not find empirical evidence on the success of such programs, they appear to have the possibility of successfully increasing adoption rates.
- Empirical analyses of **digital literacy** programs are sparse. Limited results show that prior experience with the Internet directly promoted broadband Internet adoption and that libraries and other community organizations may compensate for shortages in digital skills that otherwise act as barriers to adoption. Studies conclude that precursors of broadband Internet adoption are individuals' perceived benefits of the Internet, the ability to acquire those benefits, and a perception of value in using the Internet.
- While there exist numerous studies that describe characteristics of non-adopters, few offer evidence as to why various groups do not adopt.

III. Rural Access and Adoption Studies

- The Federal Rural Health Care Program was shown to have a positive impact in stimulating entry of broadband ISPs into rural areas. A key finding was that if rural broadband Internet availability were to increase to 100 percent, the adoption rate would increase by 6.12 percent. A cost benefit analysis would need to be undertaken to determine if this goal is optimal.

IV. Regulatory Framework Studies

- The most significant positive effect on quality and quality improvements results from competition. Studies show evidence that regulatory interventions, such as unbundling or open access provision, positively impacted markets with limited competition. Stricter regulation negatively impacted infrastructure investment by entrants but had no effect on investments by incumbent providers.

V. Missing in the literature

- Cost-benefit analyses
- Goals of programs being evaluated
- Rigorous empirical analyses
- Understanding of data necessary for any evaluation (state of affairs or program)
- Use of appropriate statistical methods

By seeking data from and results of various programs and policies, this review should prove useful to those responsible for implementing Florida's Strategic Plan for Broadband.

VI. Programs to Increase Broadband Access

A. Subsidies for Provision

Chaudhuri and Flamm (2005) concluded that high levels of inter- and intra-modal competition already effectively impose price discipline and that price subsidies arguably may promote Internet penetration at the household level, but would most likely be both redundant and extravagant. Currently, the U.S. government is spending \$42.45 billion for the BEAD program, which offers ISPs subsidies to locate in unserved and underserved areas; most of this funding is to go to the states for their own projects.¹ There have been no studies (to our knowledge) of the potential impact of this program.

Among programs to subsidize provision is the CAF, established in 2012. CAF focused on providing funding for price cap carriers to begin broadband Internet buildout.² The program was established by the FCC and funded by the Universal Service Fund (USF).³

Phase I had a budget of \$4.5 billion over six years. All existing high-cost support to price cap carriers were frozen, and an additional \$300 million in CAF funding was made available. The prior (now frozen) support was then subject to the goal of achieving universal availability of voice and broadband, and subject to obligations to build and operate broadband Internet -capable networks in unserved areas. Phase II of the program included a budget of \$1.98 billion over 10 years. Deployment was to be complete by end of 2020.

On September 15, 2015, the FCC authorized 10 telecommunications carriers to receive \$9 billion in support for rural broadband Internet development. These awards are referenced on government websites and reports, but there is no indication of which 10 carriers received the money.

An empirical evaluation of High-Cost Support Programs (Skorup & Kotrous, 2020) attempted to determine their effectiveness in increasing broadband Internet availability and improving service quality. The data includes active programs in the 48 continuous U.S. states between 2014 and 2017. The authors observe fund disbursements to each of the four subprograms: the Connect America Fund, Alternative Connect America Model,⁴ Connect American Fund Broadband Loop Support,⁵ and

¹ See Benton Institute for Broadband & Society.

² Price cap carriers are large telephone companies that are subject to FCC rate regulation that is in the form of price caps rather than rate of return regulation.

³ See the FCC *Connect American Fund*.

⁴ Established in 2016 by the Rate-of-Return Reform Order, the model provides funding to rate-of-return carriers that elect to transition to a new cost model for calculating high-cost support in exchange for meeting defined broadband build-out obligations. See Universal Service Administration, *ACAM*.

⁵ The CAF-BLS provides funding to smaller phone companies to build broadband to a specific number of fixed locations in eligible areas. See Universal Service Administration *Instructions for Completing Connect American Fund-Broadband Loop Support Mechanism*.

Rural Broadband Experiments.⁶ They state, “with the exception of the Rural Broadband Experiments, we find that High-Cost Support has no relationship or is negatively related with cable speeds and availability.”⁷ The authors note that there are “inexplicably” large disparities in subsidies granted across the states. For example, “in 2018, rural providers in Alaska received over \$2,000 in High-Cost Support per rural household in the state. In contrast, by way of example, Texas has the most rural households in the country, and 2018 subsidies amounted to about \$211 per rural household.”⁸

With respect to the cost of subsidies estimated to be required to connect remaining households to broadband Internet, de Sa (2017) predicted that connecting the remaining percent of unconnected U.S. households to fiber would require \$40 billion in initial public funding, and \$2 billion annually to support ISPs’ operational costs.

B. Barriers to Provider Entry

Barriers to entry protect incumbent firms and inhibit new entry into a market. Barriers to entry exist in many industries, in particular those characterized by high fixed costs of entry due to infrastructure costs, licensing and permit requirements, and regulatory rules, among others. A classification of entry barriers not specific to broadband Internet is provided by McAfee et al. (2004).⁹ In Table 1 below, economic barriers are differentiated from antitrust barriers; however, each is able to negatively impact a competitive market. An economic barrier is a fixed cost that must be incurred by an entrant to participate in the market, and that benefits incumbent firms. By contrast, an antitrust barrier is a cost that delays entry, and therefore, reduces social welfare relative to immediate entry but does not necessarily benefit the incumbent. A primary barrier constitutes the barrier to entry on its own. An ancillary barrier is a cost that does not constitute a barrier to entry on its own but reinforces other existing barriers. Structural barriers come from basic industry characteristics that relate to the structure of the market (for example with respect to broadband Internet infrastructure costs). Strategic barriers are essentially strategic entry deterrence actions taken by an incumbent firm, for example, loyalty programs that include customer discounts to maintain a company’s customer base and market share.

⁶ In 2014 the FCC established a \$100 million budget for the rural broadband experiments fund. The goal of the program is to provide funding for experiments in price-cap areas to bring broadband networks to residential and small business locations in rural communities. See the FCC’s *Rural Broadband Experiments*.

⁷ The cable speeds were broadband speeds offered by traditional cable television companies. Likewise, availability is the availability of broadband by these companies (Skorup & Kotrous, p. 33).

⁸ Skorup and Kotrous, p. 7.

⁹ Park and Taylor, p. 8.

Table 1*Classification of Entry Barriers*

		Economic barriers to entry		Antitrust barriers to entry	
		Standalone	Ancillary	Standalone	Ancillary
Structural barriers to entry	Economies of scale				○
	Switching costs			○	
	Brand loyalty	○		○	
	Capital costs				○
	Absolute cost advantages	○		○	
	Informational advantages				○
	Organizational advantages		○		○
	Asset specificity		○	○	
Strategic barriers to entry	Intense advertising			○	
	Contracts to block distribution			○	
	Excess capacity		○	○	
	Price discrimination	○		○	
	Leave-only marketing		○	○	
	Tying	○		○	
	Collective product proliferation				○
	Lobbying to raise entrant's cost	○		○	
	Exclusive patent cross-licensing		○	○	

Note. From McAfee et al. (2004).

Two statistical studies of factors affecting entry, and therefore broadband Internet diffusion, are from Prieger (2003) and Clements and Abramowitz (2006). Prieger (2003) estimated a model in which broadband Internet deployment is a function of various independent variables, including demographic composition, commuting and business patterns, market size, cost factors, and competition. He finds that larger markets, greater competition, and long commutes are associated with broadband Internet deployment.

Clements and Abramowitz (2006) found that population, income, and education level in an area, as well as cost-related factors, influence broadband Internet diffusion.

Empirical studies of programs to alleviate supply-side barriers to entry are sparse; however, Wallsten (2005) provided one such early investigation in which he examines government policies to improve broadband Internet availability, including streamlining rights-of-way laws, unbundling regulations, subsidies, and municipal provision. He finds that most state-level policies are ineffective: universal service programs targeted at underserved areas do not boost penetration and may even slow it by giving an artificial advantage to a given provider. Tax incentives appear to have no impact. However, guaranteed access to rights-of-way by broadband Internet providers is strongly correlated with increased penetration, and unbundling regulations affect diffusion in mixed ways as unbundled network element (UNE) lines are negatively correlated with penetration,¹⁰ while resale of telephone lines by CLECs increased penetration.

¹⁰ A UNE is a part of a telecommunications network that is required by the Telecommunications Act of 1996 to be offered to other providers to avoid duplicate infrastructure.

A more recent study by Whitacre and Gallardo (2020) used a county-level panel dataset, from 2012 to 2018, to analyze the impact of the availability of state-level funding, the existence of a state-level broadband Internet office, and the existence of restrictions on municipal broadband Internet provision on broadband diffusion. They find a small positive effect on broadband Internet diffusion from state-level funding and the presence of a broadband Internet office, and a negative impact of restrictions on municipal provision. For example, for a county with an average rural broadband Internet availability rate of 71.5 percent in 2018, the presence of a state-level funding program would be expected to raise availability to 73.3 percent; removing municipal broadband Internet restrictions would result in a similar small increase.¹¹

C. Promoting Facilities-Based Competition (versus Service-Based competition)

The term facilities-based (or infrastructure-based, or inter-platform) competition is used in the telecommunications industry to describe **competition between providers of the same or similar services** where the service is delivered by different or proprietary means or network. By contrast, service-based (or intra-platform) competition refers to when new entrants compete with incumbents by leasing facilities such as local access networks from incumbents. In an effort to increase broadband Internet diffusion, some countries have instituted various policies supporting one form of competition over the other. The European Union has tended to promote service-based competition, while facilities-based competition has been supported in the U.S.¹²

Gruber and Denni (2005) and Denni and Gruber (2007) studied the extent to which inter- and intra-platform competition facilitate broadband Internet diffusion. Using empirical evidence from the FCC and the Bureau of Economic Analysis from 1999 to 2004, they find that with intra-platform competition on cable TV platforms, initially competition had a positive impact on speed of broadband Internet diffusion, but this effect decreased over time. For intra-competition over DSL lines, initial telecommunication density was positively correlated with increased diffusion; however, the diffusion speed was negatively impacted. Inter-platform competition was shown to have a strong positive impact on diffusion speed. In states with inter-platform competition, initial availability was low but in the longer-term infrastructure competition was shown to be conducive to driving penetration.

Distaso et al. (2006) examined inter- and intra-platform competition on broadband Internet diffusion. His data represented 14 European countries; among those countries, he found that only inter-platform competition facilitated broadband Internet adoption. More recent work by Yoo (2014) compared service-based competition with facilities-based competition. Yoo used statistics and case studies to identify the best policies for increasing the deployment of high-speed broadband Internet by questioning the claim that the European model of service-based competition had outperformed the facilities-based competition underlying the U.S. approach. Using data on cable coverage and DSL provision by new entrants along with country-specific demographic data, he found that facilities-based competition had a statistically significant positive effect, while service-based competition had a statistically significant negative impact on next generation network (25 Mbps) coverage. There also was disparity between the speeds advertised

¹¹ Whitacre and Gallardo, p. 25.

¹² The European Union's competition policy is summarized in European Parliament (2021); the information includes competition policy tools, enforcement, and the role of the European Parliament.

and delivered by broadband Internet providers in the U.S. and Europe. During peak hours, U.S. actual download speeds were 96 percent of advertised speeds, compared to Europe where consumers received 74 percent of advertised download speeds. With respect to upload speeds, data indicated U.S. providers offered actual upload speeds that averaged 107 percent of advertised speeds, while European ISPs provided 88 percent of their advertised speeds.

With respect to price associated with the contrasting competition policies, data show that U.S. broadband Internet prices were lower than European prices for all service tiers up to 12 Mbps. For speeds greater than 30 Mbps U.S. prices were significantly higher (Yoo notes that the average U.S. user consumes 50 percent more capacity than the average European user, which likely is reflected in the pricing and coincides with the difference in monthly household bandwidth usage (60 GB in the U.S. vs. 40 GB in Western Europe).¹³

To determine which form of competition may better support investments in broadband Internet upgrades, Yoo included case studies of eight European countries (Denmark, France, Germany, Italy, the Netherlands, Spain, Sweden, and the United Kingdom). He again found facilities-based competition to be more effective and adds that countries that emphasized use of differing technologies achieved higher coverage rates than those relying on Fiber to the Premises (FTTP).¹⁴

Bauer and Tsai (2014) conducted a similar study that assessed the quality of broadband Internet access given various forms of market competition. They used data from Ookla (Ookla assesses Internet and network performance around the world) and Akamai (a content delivery network as well as providing Internet security) to empirically analyze the degree to which public policy decisions impacted quality and quality upgrades. Their research found that competition was the most important positive factor in providing quality. With respect to the form of competition, the authors found that broadband Internet penetration increased more strongly with the intensity of facilities-based competition than with intra-platform competition.

Prieger et al. (2014) offered increased detail regarding competition in the broadband Internet market. The authors conducted an empirical analysis of quality competition among broadband ISPs. They used the National Broadband Map data for California for 2011 through 2013 to examine how incumbent firms responded to competition from competitive local exchange carriers (CLECs) and cable modem providers. They observed that incumbent providers improved their ADSL¹⁵ quality when faced with a cable entrant and when cable operators offer increased speeds; however, incumbent providers did not raise their quality when CLECs competed via ADSL—they did when CLECs deployed fiber.

D. Municipal Provision

Municipal broadband Internet provision is broadband Internet access provided by local governments. Those supporting the municipal provision assert that quality and price are better for customers when provided by their cities rather than ISPs, and that in the absence of such provision,

¹³ Yoo (2014), p. 21.

¹⁴ Yoo (2014), p. 51.

¹⁵ ADSL is the abbreviation for asymmetric (or asynchronous) digital subscriber line, which is a method of routing digital data over copper telephone wires to allow both broadband Internet and voice communication simultaneously.

some households will not have any service options. Opponents contend that public entities are poorly equipped to maintain commercial broadband Internet networks and that government entry into the private sector constitutes unfair competition for the private sector providers.

To address these competing views, Hauge et al. (2008) examined the effect of municipal telecom provision on the presence of competitive local exchange carriers (CLECs) that formed to compete with incumbents. They conducted a nationwide empirical study of 51,148 cities with CLECs and/or municipal telecom providers and found that municipal providers tended to serve markets that CLECs did not. They also discovered that the presence of a municipal provider in a market did not affect the probability that a CLEC also served that market if there were multiple CLECs. In smaller markets that could support only one competitor to the incumbent, the presence of a municipal supplier decreased the probability of having a privately-owned competitor. A subsequent work by Hauge et al. (2009) confirmed the prior result and showed that the effect of municipal competition on private provision was largely concentrated on the first entrant. This suggests that municipalities initially entered telecommunications markets with demand too low to support competition from commercial providers.¹⁶ While useful for understanding what may drive entry, these papers only address the impact of municipal provision on privately-owned competitors; they do not address factors that may make municipal provision successful.

More recently, Yoo and Pfenninger (2017) conducted an empirical study including every municipal fiber project in the U.S. Of the 88 municipal fiber projects, 20 reported the financial results of their broadband Internet operations separately from the financial results of their electric power operations. The authors used data from these 20 municipal fiber providers over the period from 2010 to 2014 and ascertained that 11 of the 20 generated negative cash flow. Of the nine projects that were cash-flow positive, seven would require more than 60 years to break even. Only two generated sufficient cash to be on track to pay off the debt incurred within the estimated useful life of a broadband Internet network, which is typically projected to be 30 to 40 years. The authors noted, “To date, assessments of municipal fiber programs...have been long on rhetoric and anecdotes and short on systematic empirical analysis.”¹⁷

In 2022, Yoo et al. followed the 2017 work, and utilized municipalities’ official reports to empirically analyze the financial performance of every municipal fiber project in the U.S. operating in 2010 through 2019. They found that none of the projects generated sufficient nominal cash flow to remain financially viable without additional funding or debt relief, and 87 percent had not generated sufficient nominal cash flow to achieve long-run solvency. 73 percent generated negative nominal cash flow over the prior three fiscal years. The authors stated that analysis of the projects’ performance revealed that revenue generation likely plays a more important role in generating cash flow than efficiency in construction costs or operating efficiency.

Municipal Wi-Fi Provision

A subset of research on municipal provision focuses on such provision of Wi-Fi networks (see Gillett et al., 2004; Infante et al., 2007; Middleton, 2007; Potter & Clement, 2007; Shaffer, 2017). Wi-Fi

¹⁶ This is consistent with Yoo and Pfenninger (2017) and Yoo et al. (2022), which found that municipal providers were rarely commercially viable, implying that they often constitute subsidized provision of broadband.

¹⁷ Yoo and Pfenninger, p. 2.

networks do not require an FCC license for the radio spectrum they use; Wi-Fi providers need not pay the government for the use of the airspace. For this reason, some municipalities are turning to this option for broadband Internet provision to households in their areas; however, statistical analysis of the effectiveness of such programs is sparse. For example, the Detroit Community Technology Project¹⁸, the Personal Telco Project in Portland, Oregon¹⁹, and NYC Mesh in New York City²⁰ each have been operational for over five years, yet no statistical analyses have been undertaken to determine their level of success in terms of adoption or achieved outcomes from the supply of such networks.

E. Public-Private Partnerships

Public-private partnerships typically involve private capital financing of government projects. The private companies then earn profits over the course of the partnership contract. Such partnerships primarily are used for infrastructure projects that require significant initial investment that a municipality is unable to amass. No statistical studies of public-private partnerships to promote broadband Internet diffusion or adoption were found, although several case studies exist.

Gerli and Whalley (2018) focused on two projects deploying fixed broadband Internet networks in rural U.K.: Broadband for the Rural North and Connecting Cumbria. The former is a cooperative fiber-to-the-home network financed and built by residents in northwest England. As of 2022, Broadband for the Rural North remains in operation with a network of dark fiber cable and apparently successful connections (Broadband for the Rural North, n.d.), however, Gerli and Whalley (2018) offered no statistics on the program's performance.²¹ The latter project is a public-private partnership between British Telecom and Cumbria County Council to provide fiber in unserved areas. Despite achieving the set deployment goals, Connecting Cumbria frustrated rural communities who were unsatisfied with the speed or unable to access fast broadband Internet.

Gerli and Whalley (2020) followed up their 2018 study with an examination of private design-build-own (DBO) initiatives, where the public entity subsidizes the provision of infrastructure that is designed, built, managed and owned by the private partner. Using case study data, they found that the private DBOs achieved and sometimes exceeded their targets (programmatic success) but failed to engage with their stakeholders and lacked support at a local level (process deficiency).

A similar study was conducted by Fortunato et al. (2012), who analyzed municipal and public-private partnerships in Maine, Pennsylvania, and Wisconsin to determine community-level factors that either encouraged or inhibited local broadband Internet network development in persistently underserved communities. They acquired evidence suggesting that local organizing for high-speed broadband Internet access is similar to other community development problems unrelated to technology. Although the authors have data from the U.S. Census American Community Survey (ACS) (2010) and the Bureau of Economic Analysis Regional Municipal P3 Maine Hermon Washington County Pennsylvania Kutztown Cambria County Wisconsin Reedsburg Kenosha County

¹⁸ See the Detroit Community Technology Project.

¹⁹ See the Personal Telco Project.

²⁰ See NYC Mesh.

²¹ Dark fiber cable refers to excess capacity of unused fiber-optic cable that has been laid by a company but is not needed. It then can be leased to other companies to establish connections among their own locations.

Economic Information System (REIS) Regional Profiles (2010) (including population growth, migration patterns, income and education levels, and the mix of industries found in the area), no statistical analysis was pursued.

F. E-Rate Program (established in 1996)

E-Rate is a U.S. federal funding program administered by the Universal Service Administrative Company (USAC) under the direction of the FCC. The program provides discounts for telecommunications, Internet access, and internal networking costs for schools and libraries. Services include voice, data, video, and wireless services, as well as Internet access and the cost of installing and maintaining network infrastructure. The primary goal of the E-rate program is to promote equity across urban and rural areas, high and lower-income areas, and served and underserved areas by providing discounts of 20 percent to 90 percent of the cost of relevant connection services (not for computers or other devices that would then be connected). The discount offered is based on the poverty level of the school as given by the percentage of area students eligible for subsidized lunches, so that schools with more students from disadvantaged households receive higher discounts. [Rural schools and libraries also may receive a higher discount.]²²

The program is comprised of two categories. The first includes discounts for telecommunications services, such as wired and wireless data links and ISP connections. These funds are to bring Internet access to the school or library. The second category includes costs associated with internal wiring necessary to distribute connections to classrooms and other facilities within the school or library and includes wireless local area network services such as Wi-Fi.

To receive E-Rate funding, an eligible school or library must submit to the USAC a request for competitive bids for providing telecommunications and Internet goods or services. The USAC posts the requests for vendors to bid to provide the service. The school or library chooses the vendor it prefers, and then applies to the USAC for approval to commission that provider. A school can apply to the USAC by itself or as part of a district. If the latter, the discount rate is calculated as a weighted average of the schools listed on the application.

In 2014, the FCC's Second E-Rate Modernization Order increased the funding cap for the program to \$3.9 billion, indexed to inflation going forward (the cap in 2021 was \$4.276 billion).

Several studies address the successfulness of the E-rate program in various states. An early study by Ward (2005) found that program subsidies did not have any effect on academic outcomes of students in schools awarded E-rate discounts. Similarly, Goolsbee and Guryan (2006) concluded, "Using a variety of test score results, however, we do not find significant effects of the E-Rate program, at least so far, on student performance."²³ Their program evaluation (limited to schools in California) used detailed data on public schools including students' achievement test scores and the demographics of their communities. The authors found that the program subsidies did lead schools to spend more on telecommunications technology; however, test scores in math, reading and science showed no evidence of any effect on academic outcomes.

²² See the FCC *E-Rate Program*.

²³ Goolsbee and Guryan, p. 336.

More recently, Hazlett et al. (2016) conducted an empirical study using data from 374 North Carolina public high schools from 2000 to 2013, and found no improvement in student test results associated with E-rate subsidies. In fact, they found that a 1 percent increase in E-Rate spending per student in the district decreased the average math score for a school. The authors also used SAT scores to gauge educational improvement and found that increasing the amount of E-Rate funding that schools received had no impact on SAT scores. Lastly, they calculated how E-rate funding affected the ratio of students per Internet-connected computer since subsidies pay a percentage of the school's computer and Internet expenditures and found that decreasing the number of computers connected to the Internet would improve math scores.

Hazlett et al. (2016) stated the following:

The disappointment in the lack of a return is intensified by two additional reasons. First, the subsidies are the result of 18.2 percent tax on certain telephone charges. In addition to the economic distortion created by the tax, this tax is worse than most due to its regressive nature—everyone pays the same percentage regardless of their means. Given that our results show that increasing E-Rate funding has no impact on SAT scores, it seems logical that the money could be better spent on other educational reforms that might improve student performance...as there is no evidence that E-Rate spending improves any performance measure for students. (p. 14)²⁴

In a complementary magazine article, Hazlett (2016) noted that the Department of Education found that 98 percent of schools had broadband and 94 percent of classrooms were wired for high-speed connections by 2008 so that the goal of bringing Internet to schools was completed long ago.

E-Rate's effectiveness in increasing broadband Internet diffusion by spurring competition also was analyzed. Flamm (2015) used U.S. zip-code level data to examine whether the program had an identifiable and statistically significant impact on broadband Internet competition over the period of 2005-2008. He compared E-rate outcomes with outcomes from the smaller and more targeted Universal Service Fund's Rural Health Center program and found that the more highly-focused USF funding has had a statistically and economically significant impact on numbers of local broadband Internet service providers, while the E-Rate program generally did not in most areas. The latter was found to have no bearing on the number of competitors in most of the areas in which fund recipients were located and a slightly negative and statistically significant effect on broadband Internet provision in the majority of zip codes. In only the indigent or most rural areas was there any evidence that the E-Rate program had a statistically significant impact in stimulating greater competition in broadband Internet service provision, and when found, it was small.

G. Public Computing Centers

Public computer centers (PCCs) to improve broadband Internet supply was promoted first with the American Recovery and Reinvestment Act of 2009 (ARRA).²⁵ This Act mandated the National Broadband Plan, the goal of which was to ensure all Americans have access to broadband Internet.

²⁴ Haslett et al., p. 14.

²⁵ See the FCC's *American Recovery and Reinvestment Act of 2009*.

Broadband Internet provisions in the plan amounted to \$7.2 billion primarily for broadband Internet grant programs. The funds were distributed through two separate and partially overlapping programs—the Broadband Initiatives Program (BIP), administered by the Rural Utilities Service (RUS), and the Broadband Technology Opportunities Program (BTOP), run by the NTIA.²⁶ The ARRA provided \$2.5 billion for BIP and \$4.7 billion for BTOP, with the goals of construction and deployment of broadband Internet infrastructure to improve access and adoption, particularly in rural and lower-income areas.

Empirical results of studying all BTOP programs show little evidence of success in terms of economic outcomes, academic achievement, or household adoption resulting from funded grant programs (Beard et al., 2020; Hauge & Prieger, 2015).

BTOP grants included three types of projects: infrastructure in unserved and underserved areas, enhanced broadband Internet capacity at PCCs, and promoting sustainable broadband Internet adoption. \$50 million was allocated for PCC grants. The stated goal of the BTOP program was to ensure affordable access to at least 1 gigabit per second for schools, hospitals, and government buildings. The expectation was that the recipients would provide digital literacy and job training along with continuing education and entrepreneurship programs. A February 2010 BTOP report stated that \$22.8 million in grants had been awarded to PCC projects as of February 16, 2010.²⁷ While evidence shows that PCCs were established, there are few studies addressing whether those PCCs had any impact on adoption in the community or any other positive benefits for the communities in which they were established.

Chang (2021) used data on PCC grants and public library surveys to examine whether residential broadband Internet adoption rates had increased in counties in which libraries received grants and had successfully increased the number of Internet-connected computers available for use. The data was from 2009 to 2014. Chang found no evidence of increased broadband Internet adoption rates in those counties despite an increased number of Internet-connected computers.

Similarly, Whitacre and Rhinesmith (2015) examined the relationship between library and household broadband Internet adoption rates in rural areas of the U.S. They found that while library access and household adoption rates are correlated, statistical analyses revealed no evidence that counties with libraries that had increased Internet-accessible computers between 2008 and 2012 measurably impacted rates of adoption.

Similar to PCCs are community technology centers (CTCs). CTCNet was established as a national network of over 1,000 CTCs with the goal of providing access to communications services and technology infrastructure in economically disadvantaged areas. In 2006, CTCNet established the Connections for All program, which was formed to help CTCs make their programs and facilities more inviting and accessible to all.²⁸ To our knowledge, there are no studies on the impact of CTCs or the Connections for All program on access or adoption.

²⁶ See the United States Department of Commerce National Telecommunications and Information Administration *BTOP / SBI Archived Grant Program*.

²⁷ See the NTIA's *Quarterly Program Status Report*.

²⁸ See Great Nonprofits. *Community Technology Centers' Network, Inc. (Ctcnet)*.

Recently the American Rescue Plan Act of 2021, funded the Emergency Broadband Connectivity Fund (administered by the USAC). The Act establishes a \$7.17 billion program aimed at helping communities provide infrastructure, materials, and services to schools and libraries for remote learning during the pandemic.²⁹ Schools and libraries could receive Wi-Fi hotspots, modems, routers, and connected devices. To date, while data is available on implementation of the program, we have found no statistical studies analyzing program outcomes.

VII. Programs to Increase Broadband Adoption

A. Programs Addressing Price as a Barrier to Adoption

Price historically has been reported to inhibit household broadband Internet adoption, with some arguing that price is the key barrier to adoption and that prices are prohibitively high due to lack of competition or market power of incumbent providers. Broadband Internet prices are difficult to study as different performance tiers, options, and availability of bundles significantly affect advertised prices, and it is equally (if not more) difficult to determine a household's willingness to pay for a service they have not yet obtained. That said, there do exist numerous reports that reference survey respondents' assertions that price bars them from connecting. Prieger and Hu (2008) generated estimates of income elasticity of demand for DSL broadband Internet and found that demand increased with household income; however, their study lacks data from cable modem service and the data is from early years of broadband Internet development.

In May 2021, the FCC opened enrollment in its Emergency Broadband Benefit Program offering up to \$50 per month in broadband Internet subsidies for low-income U.S. households or for those who lost income during the pandemic.³⁰ Over 825 ISPs are participating in providing service, with the full list of available ISPs in each state showing that subsidies should be available in most areas that currently have home Internet access. The FCC stated that the program would continue until the \$3.2 billion in federal funding was exhausted, or six months after the Department of Health and Human Services declares the pandemic over. The program also allows eligible households to apply for a one-time discount of up to \$100 to purchase a computer for Internet access. In November 2021, the IIJA became law.³¹ This Act provides \$14.2 billion to extend the Emergency Broadband Benefit Program to a longer-term program called the Affordable Connectivity Program. These policies and the stated intent behind them reinforce the perception that households would adopt, but for the price of doing so. There is no evidence, however, that this perception is accurate as no empirical studies have been published that demonstrate change in adoption based on loss of income due to the pandemic.

While there appear to be no definitive international broadband Internet pricing studies, sources rank U.S. broadband pricing equivalent to that in peer countries. In its *Measuring Digital Development* report, the International Telecommunication Union (ITU) ranked the U.S. as tied for

²⁹ See the FCC's *Emergency Connectivity Fund*.

³⁰ The Affordable Connectivity Program replaced the Emergency Broadband Benefit Program on December 31, 2021. Information on the latter program and the changes instituted upon enactment of the former are available at <https://www.fcc.gov/broadbandbenefit>

³¹ Public Law 117-58, November 15, 2021. 135 STAT. 429. See the United States Department of Energy, Alternative Fuels Data Center.

sixth place globally for affordability of fixed broadband Internet prices as a percentage of gross national income capita (ITU, 2020). The Economist Intelligence Unit's *Inclusive Internet Index* also highlighted how the U.S. compared to 99 other countries in terms of Internet availability, and affordability (The Economist, 2021). The U.S. ranked third overall and first in affordability.³²

In sum, while high price remains an accepted political response to explain low adoption rates, other than the Prieger and Hu 2008 work, we find no empirical studies that determine price to be a significant barrier to adoption for most unconnected households.

B. Programs Addressing Lack of Computer Ownership

Lack of a computer in a household traditionally restricted broadband Internet adoption; however, technology now offers the ability to connect via mobile devices and increasingly those in unserved and underserved areas are taking advantage of that option. Initially as part of the (BTOP) in 2009, many broadband Internet programs targeted computer ownership as the first step in increasing adoption. For example, the Wireless Philadelphia Digital Inclusion Project showed that a free computer was a critical element in the success of their mission (OMG Center for Collaborative Learning, 2008). Similarly, Connect Kentucky's (2009) Computers 4 Kids program provided computers for low-income families with children.³³ The impact of these programs is uncertain however, as analysts most often report on program implementation rather than outcomes of such implementation and utilize subjective surveys of program administrators and participants rather than employing statistical methods to determine program effectiveness.

One exception is a 2020 study by Rosston and Wallsten, who examine Comcast's Internet Essentials (IE) program.³⁴ In 2011 as part of its approval of the Comcast-NBCU merger, the FCC mandated a commitment by Comcast to introduce a low-income broadband Internet program that Comcast branded Internet Essentials. As part of the program, eligible participants can purchase a laptop computer or Chromebook at a significantly reduced price. Rosston and Wallsten examined the IE program and found that approximately 66 percent of IE subscribers represented increases in low-income adoption as a result of the program, with the remaining subscribers being households that switched from a competitor and households that would have subscribed as part of a general upward trend in adoption. The authors concluded that it would be difficult to infer that subsidized computers made a difference in broadband Internet subscription.

Perrin and Bertoni (2017) used data from the Pew Research Center to discern possible digital literacy limitations as reason for lack of adoption. They found that providing a tablet computer with Internet access to people without prior Internet experience did not encourage 40 percent of subjects to use the Internet. Most (70%) called technical support at some point to get help with their device, and almost half experienced login issues.

Another possibility to encourage adoption is advocating use of mobile-only connections for Internet access. Manlove and Whitacre (2019b) studied the development of mobile-only Internet access

³² Note that countries with the same average price for broadband are equal only with respect to affordability if that price represents the same percentage of average income.

³³ See Connect Kentucky.

³⁴ See xfinity *Internet Essentials*.

from 2011 through 2015, and discovered that specific groups were more likely to be adopters of mobile-only Internet access. Specifically, older users increased their incidence of mobile only connection as did racial and ethnic minorities and households in non-metro areas. Additionally, some demographic groups had shifted to using a smartphone only. They noted that 68 percent of Americans owned a smartphone; those in rural areas were 6 percent more likely to connect to the Internet via smartphone than via a fixed connection (in comparison to those in urban areas). Lower income and less educated individuals also were higher adopters of smartphone only Internet access.

C. Programs Addressing Digital Illiteracy

Digital literacy refers to the ability to use digital technology effectively. Most programs attempting to rectify the problem of digital illiteracy target specific groups, such as the elderly, or those who are under-educated, disabled, minorities, women, at-risk youth, or urban or rural low-income households.

LaRose et al. (2007) found that prior experience with the Internet and the expected outcomes of using the Internet directly promoted broadband Internet adoption. With respect to demographic characteristics, the authors found that only age and income had direct impacts on adoption as younger and more educated individuals were more likely to adopt. They noted that differences in the adoption of high-speed Internet had previously been attributed to the demographics of rural communities, including age, education, and household income, but their work showed that the precursors of broadband Internet adoption were individuals' perceived benefits of the Internet, the ability to acquire those benefits, and a perception of value in using the Internet. Powell et al. (2010) found that libraries and other community organizations could compensate for shortages in digital skills that constitute barriers to adoption for some.

D. Other Programs Aimed at Increasing Adoption

Connected Nation

Since 2001, Connected Nation has participated in a least one project in all but eight states, offering programs to help bridge the digital divide.³⁵ Connected Nation's website states: "From state-based technology planning and mapping programs to national educational technology initiatives, Connected Nation has partners in all sectors including libraries, schools, state and local governments, large technology companies, and small businesses. Our impact on the adoption, access, and use of technology is vast."³⁶ However, no empirical evaluation of such programs is made available. We were able to locate only one empirical analysis of Connected Nation program outcomes. Manlove and Whitacre (2019a) offered an empirical analysis evaluating the effectiveness of the Connected Nation program in five states during 2012 and 2013. They found

³⁵ Digital divide refers to the gap between those with ready access to computers and the Internet, and those without. Researchers now categorize the first digital divide as pertaining to access to technology, the second digital divide as pertaining to computer use, and the third digital divide as differences in social and cultural benefits derived from Internet use.

³⁶ See Connected Nation.

that participation in the program had no statistically significant impact on broadband Internet adoption rates.

Various other broadband Internet adoption initiatives have been established within states, among groups of states, and for tribal areas. For example, Connected North was established in 2013 by Cisco to connect indigenous students to Internet.³⁷ Nevertheless, we were unable to find any empirical studies of such programs.

Research concentrating on other barriers to adoption analyze correlations among adoption and demographic characteristics as well as the Internet service offered. Clements and Abramowitz (2006) found that along with those having higher income, younger and more educated individuals and those with children were more likely to adopt broadband Internet. Weiner et al. (2012) found that race and ethnicity did not predict household-level broadband Internet adoption, and that the strongest factor for adoption was computer use by the household decision maker.

Wallsten (2016) found that for a FCC experimental broadband Internet project, providers (wireline and mobile) signed up less than 10 percent of the number of participants they had expected. His results express the difficulty of encouraging low-income households to sign up even with large discounts, suggesting that subsidies are likely to go to those who already subscribe. Subscribers also were willing to accept lower speed for lower prices. A conundrum is that while non-subscribers cite lack of knowledge as a barrier to adoption, they generally express a reluctance to accept digital literacy training classes. Wallsten noted that in one project, many were willing to forego an additional \$10 per month savings or a free computer to avoid taking digital literacy classes.

VIII. Rural Access and Adoption

The Rural Health Care Program (est. 1997) provides funding to eligible health care providers for telecommunications and broadband services necessary for the provision of health care.³⁸ The goal of the program is to improve the quality of health care available to patients in rural communities by ensuring that eligible health care providers have access to telecommunications and broadband Internet services. Rural and non-rural health care providers that are members of a consortium with more than 50 percent rural health care provider sites, receive a 65 percent discount on communications services. Beginning in 2016, health care provider funding requests exceeded the funding cap and in 2018 the FCC released the *Rural Health Care Program Funding Cap Order* increasing the annual funding cap to \$571 million as of 2017 and adjusting the cap for inflation going forward. Flamm (2015) found that the program had a significant impact in stimulating entry of local broadband Internet service providers in rural areas receiving grants.

Among the primary programs designed for increasing access and adoption in rural areas was the BIP instituted as part of the National Broadband Plan. BIP funds were intended for use in rural unserved and underserved areas and were made available for last mile and middle mile broadband Internet infrastructure projects areas that were at least 75 percent rural and unserved or underserved.³⁹ Eisenach and Caves (2011) used three case studies of programs subsidized by BIP to

³⁷ See Connected North.

³⁸ See the FCC *Rural Health Care Program*.

³⁹ See the *United States Senate Broadband Initiatives Program (BIP) Guide*.

provide evidence that broadband Internet service already was widely available in the proposed program areas. They also showed that the taxpayer cost per unserved household was above benchmarks established under the program.

Using data from the FCC, Department of Commerce, USDA Rural Development Agency and information on state-level policies from the California Public Utilities Commission, Wallsten (2005) found that subsidies provided through USDA's Rural Development broadband Internet program were not correlated with increased rural access to broadband Internet.⁴⁰ He summarizes:

While the analysis in this paper does not find a significant correlation between USDA broadband spending and broadband access, USDA Rural Development (2005) claims that 'Since 2001, Rural Development has utilized a variety of loan and loan guarantee programs to provide over \$3 billion in funding and assist over 1.3 million rural subscribers in accessing broadband.' The report does not provide any details on how the number 1.3 million was determined, or whether any empirical testing was done to determine whether the program itself was responsible for making broadband available to those 1.3 million people. However, taking USDA's numbers at face value implies that USDA Rural Development spent about \$2,300 per person connected. USDA's numbers thus seem to suggest that the program is not cost effective. For the same cost, for example, USDA could have paid for all 1.3 million people to subscribe to satellite broadband services for nearly five years.⁴¹

Under the Rural Digital Opportunity Fund (RDOF) established in 2020, the FCC approved up to \$20.4 billion in funding over a 10-year period to support the construction of broadband Internet networks in rural communities. Eligible areas include those without access to adequate broadband Internet services defined by the FCC as 25 Mbps downstream and 3 Mbps upstream. The program includes a two-part application process by which entities seeking to participate in an auction to provide service must establish financial and technical capabilities to be eligible to bid. Winning bidders then provide additional information about qualifications and the network that they intend to use to meet their obligations, among other details.⁴²

Also designed to connect rural communities to the Internet is the Rural Tribal Priority Window.⁴³ Under this program any federally recognized tribe or Alaska native village could apply for spectrum, designating their own desired license areas provided the entire area is rural tribal land. The available spectrum was a portion of the 2.5 GHz band with three channels: 49.5, 50.5 and 17.5 MHz. The 2.5 GHz band was suitable for both mobile coverage and fixed point-to-point uses. This program is no longer active; the window to apply was from February 3, 2020, to September 2, 2020. There were 419 applicants; applications are still being processed and no empirical studies are available.

⁴⁰ Wallsten did find that USDA's broader telecommunications program is correlated with increased rural broadband Internet access but shows that the program costs on average about \$1,500 per person who gains access to at least one provider, but who does not necessarily adopt broadband Internet.

⁴¹ Wallsten (2005), p. 5.

⁴² See Universal Service Administrative Co., *Rural Digital Opportunity Fund*.

⁴³ See the FCC's *2.5 GHz Rural Tribal Window*.

Hollman et al. (2020) noted that to address rural access and adoption and in particular the existence of an urban-rural digital divide, a need exists for accurate measurement and reporting to quantify such divide. The authors develop a quantitative measuring unit that computes Internet throughput in low population density areas. The throughput data is matched with a survey of user perceptions of Internet use; used together, Hollman et al. (2020) were able to estimate the actual throughput of rural versus urban users as well perceptions of users' Internet access. In addition to the collection device, the authors are collaborating with the Nebraska Public Power District and Nebraska Rural Electrification Association to obtain detailed data with which they can estimate differences in Internet connectivity between rural and non-rural areas. This quantitative evaluation appears to be able to evaluate any evidence of a rural-urban divide; however, at present, the authors acknowledge possible reliability issues with the measurement device and are unable to offer rigorous results as to the efficacy of the measure or an urban-rural divide in any given location. The authors state that in the future the measure will provide a method to accurately visualize the urban-rural digital divide, which will aid in planning for community initiatives to remedy the problem.

Silva et al. (2018) used the NTIA's National Broadband Map and the FCC's Form 477 data to construct an empirical model to investigate the determinants of broadband Internet adoption in rural areas. The authors find that broadband Internet is available in most of the census tracts included in their study, particularly noting availability in the tracts with more educated, wealthier, and older people who have more choices of providers and are more likely to adopt. The positive impact of the older population on adoption contradicts other studies' findings; however, it is possible that in the areas studied, the contradictory result is due to the type of connection (i.e., traditional fixed broadband Internet versus mobile broadband Internet subscription). A key result was that if rural broadband Internet availability were to increase to 100 percent, the adoption rate would increase by 6.12 percent. A cost benefit analysis would help determine if the goal of 100 percent adoption is optimal.

Lastly, Whitacre et al. (2015) conducted a statistical analysis using data from the FCC and the National Broadband Map to analyze the relationship between broadband Internet availability and adoption and income in rural areas. They asserted that empirical analyses to assess the degree to which a lack of infrastructure might be responsible for any urban-rural digital divide was scant. They demonstrated that existing metro–non-metro differences in infrastructure availability comprised approximately 38 percent of the 2011 broadband Internet adoption gap between areas, and that 52 percent of the gap was due to differences in characteristics such as education and household income.

Note: the ReConnect Loan and Grant Program was established to furnish loans and grants for the costs of construction, improvement, or acquisition of facilities and equipment needed to provide broadband Internet service in eligible rural areas.⁴⁴ Applications for loans and grants were accepted until March 9, 2022. In the first round of the ReConnect Program, USDA invested \$656,052,244 in high-speed broadband Internet infrastructure to create or improve e-Connectivity for rural customers across 33 states. To date, USDA has announced \$852,077,212 for projects in the second round of funding, for a total of \$1,508,129,456 invested through the ReConnect Program. We were unable to find any empirical analyses of outcomes from any of the funded projects.

⁴⁴ See the United States Department of Agriculture, *ReConnect Loan and Grant Program*.

IX. Supply-Side Factors that Affect and may Increase Broadband Adoption

To increase broadband Internet access and adoption among those who remain unserved and underserved, policymakers have relied primarily on supply-side programs that increase broadband Internet availability; however, demand-side programs also have been implemented. As availability has been found to be ubiquitous in areas that continue to have unserved and under-served households, it may be that supply-side and demand-side policies are inexorably connected and might most effectively be considered in conjunction with one another. Several studies address the degree to which supply and demand side factors are linked.

In 2001, Prieger empirically analyzed whether broadband Internet carriers avoided areas with high concentrations of low-income and minority households and found little evidence of such (Prieger, 2001b). He found that higher education levels, Spanish language use, and commuting distance (demand-side factors) as well as market size and Bell presence (supply-side factors) increased access probability, while inner city or rural location decreased access probability.

Using ITU data, Lee and Brown (2008) estimated factors that affect global broadband Internet adoption and found that the supply-side factors of inter-platform competition, Internet content, services, and applications, and faster broadband Internet speed, are positively associated with higher levels of adoption. The authors also found that income and education (demand-side factors) were not found to influence adoption.

X. Regulatory Framework Considerations

Bauer (2015) provided a useful framework by which to consider broadband Internet diffusion and adoption governance. While not empirically based, the author contended that established regulatory theory and practice may not provide reliable guidance because they are founded on prior technologies and industry structures that no longer exist. Moreover, how government and nongovernment forms of coordination affect diffusion and adoption outcomes is complicated by the existence of non-linear direct and indirect effects whose impact on performance is not well understood. Bauer noted that the right combination of policy instruments and coherence between technology and regulation is often more important than the type of policy instrument employed. He offered the following summary in Table 2 of varying effects of possible policy instruments.⁴⁵

⁴⁵ Bauer (2015, p. 19).

Table 2*Direct and Indirect Effects of Policy Instruments*

Governance instrument	Network operators		Content, application providers		Overall sectoral effect
	Incumbent	New entrant	Modular	Coupled	
R&D support	+	+	+	+	+
Demand-side measures	+	+	+	+	+
Mobile data roaming	-	+	+	+/-	?
Mobile net neutrality	-	+	+	+/-	?
Overall stakeholder effect	?	+	+	?	

Because broadband Internet technologies have different advantages for cost, usability, throughput, etc., a policy structure whereby different broadband Internet technologies compete and consumers can choose the technology (or combination thereof) that meets their needs is optimal. Bauer recommended technology neutral governance: regulation should neither require nor assume a particular technology. By extension, the rules should neither favor nor discriminate against a particular technology.

The assertions of Bauer's 2015 position paper are supported by empirical work examining the impact of regulatory interventions in broadband Internet markets. Using Ookla and Akamai data of realized download speeds for a sample of OECD and medium-income countries, Bauer (2014) showed that regulatory interventions such as unbundling or open access provision positively impacted broadband Internet availability in markets with limited competition. His results also provided evidence that the optimal policy for a given country was dependent on the specific context of a country so that no single best practice model emerged from the observations.

Similarly, Bauer and Tsai (2014) analyzed the effects of public policy on broadband quality, as they asserted that benefits from advanced ICT services were increasingly dependent on the quality of available connectivity. They specified that the most important factor with a positive effect on quality and quality improvements is competition. They also cited evidence that regulatory interventions such as unbundling or open access provision positively impacted markets with limited competition.

In a comparable study, Prieger et al. (2014) conducted an empirical analysis of quality competition among broadband ISPs using National Broadband Map data from 2011 to 2013 for local markets in California. Their results show that incumbent local exchange carriers (ILECs) improved the quality of their ADSL offerings when a cable provider entered the market, and also when cable operators started to offer higher speeds. However, ILEC ADSL providers did not raise their service quality in response to ADSL competition from CLECs but did improve speeds when CLECs deployed fiber in the market. These results substantiate Bauer and Tsai (2014) regarding the role of competition in maintaining quality.

Friederiszick et al. (2008) conducted a panel data analysis of 25 European countries to understand the correlation between entry regulation and infrastructure investment. They showed that stricter regulation negatively impacted infrastructure investment by entrants but had no effect on investments by incumbent providers. Using data from 20 EU countries, Grajek and Roller (2012) found that access regulation negatively affected investment incentives.

Biedny et al. (2021) analyzed legislation designed to increase broadband Internet availability by requiring state-funded construction projects to notify local Internet providers about the opportunity to bury conduit for easier wire installation in the future and permitting policies that require timely response from local jurisdictions regarding installation of broadband Internet equipment. Their data comes from Iowa, which passed such legislation in 2015. The authors determined that the legislation increased fiber availability by approximately 5 percent compared to states that had not passed such legislation; however, they found no impact on fixed wireless diffusion. They concluded that the results offered only limited support for the claim that such policies have any significant impact on broadband Internet fiber availability, and no support for benefits with respect to fixed wireless.

While they are older studies, Prieger's (2001a, 2007) panel data analyses of U.S. regulatory impacts on broadband Internet innovation showed that progress would have been greater if FCC regulations on the innovation and introduction of advanced telecommunications services had not been imposed, and that decreasing regulatory delays decreased time to introduce new services. Wright and Hazlett (2016) came to the same conclusion, finding that broadband Internet markets in the U.S. showed notable growth in response to deregulation reducing Title II requirements.⁴⁶

A final consideration is the impact of local loop unbundling (LLU) policies.⁴⁷ Hausman (2001, 2002) showed that LLU regulation in the U.S. impeded incumbents' deployment of network facilities required for DSL (advantaging cable operators).

Ovington et al. (2017) used data for EU-27 countries to estimate the impact of varying types of competition on broadband Internet adoption. They illustrated that LLU has had a positive impact on broadband participation, although the impact was smaller in areas where other networks already had a significant share of broadband Internet lines.

⁴⁶ Title II of the Telecommunications Act defines obligations of common carriers.

⁴⁷ LLU refers to the regulatory policy whereby the incumbent operator makes its infrastructure (physical wire connections) available to other providers. LLU might encourage competition by reducing economic barriers to entry, allowing new entrants to construct some components of their networks and obtain other components from the incumbent.

Appendix G

Federal and State Funds Available for Broadband Expansion and Support

	Name of Program	Agency	Funding	Description	Recipients/Eligible Applicants	Eligible Uses/Service to be Provided
Infrastructure Investment and Jobs Act (IIJA)	Broadband Equity, Access, and Deployment	NTIA	\$42.45 billion	The BEAD program appropriates \$42.45 billion for states, territories, the District of Columbia, and Puerto Rico to use for broadband planning, deployment, and adoption projects. Each will receive at least \$100 million, including an initial funding of \$5 million to support broadband planning, building capacity in state broadband offices and outreach and coordination with local communities. Each will submit a 5-year action plan which shall be informed by collaboration with local and regional entities. The remaining funding will be distributed based on a formula that considers the number of unserved and high-cost locations in the state, based on maps to be published by the Federal Communications Commission in 2022. Priority is for deployment in unserved locations (those below 25/3 Mbps), followed by underserved locations (those below 100/20 Mbps), and then community anchor institutions. See https://www.benton.org/blog/largest-us-investment-broadband-deployment-ever for additional details.	States, territories, D.C. states may not exclude cooperatives, nonprofit organizations, public-private partnerships, private companies, public or private utilities, public utility districts, or local governments.	Data collection, broadband mapping and planning (no more than 5% of state funding for planning); broadband infrastructure deployment to unserved and underserved areas (e.g. construction); connecting eligible community anchor institutions; promotion of broadband adoption, including through the provision of affordable internet-connected devices; provision of WiFi or reduced-cost internet access to multi-family housing units; and for other uses the NTIA determines are necessary to facilitate the goals of the program. Networks must provide speeds not less than 100 megabits per second download and 20 megabits per second upload.
	Affordable Connectivity Program	FCC	\$14.2 billion	ACP is an FCC Benefit program that helps ensure that low-income households can afford the broadband they need for work, school, healthcare and more by funding \$30/month discount for broadband internet service, and discounted devices for eligible households. It is a modification of the Emergency Broadband Benefit (EBB) which was funded at a higher level (\$50 monthly subsidy) from the Consolidated Appropriations Act, 2021.	Eligible households must meet federal poverty guidelines or other stated criteria. Service must be obtained from participating Internet Service Providers (which receive funding from FCC and apply discount to consumers' monthly bills.)	Helps low income households afford home broadband service by providing up to a \$30 monthly benefit on a household's monthly internet bill. For low-income households on Tribal lands, the benefit is up to \$75. Eligible households can receive a one-time discount of up to \$100 to purchase a laptop, desktop computer, or tablet if household contributes \$10-\$50 toward purchase. Limited to one monthly service discount and one device discount per household.
	Tribal Broadband Connectivity Program	NTIA	\$2 billion	IIJA adds funds for TBC program competitive grants for broadband infrastructure deployment; affordable broadband programs; distance learning; telehealth, digital inclusion efforts; and broadband adoption activities. Deadlines are extended to allow grantees more time for deployment and broadband adoption.	Tribal Governments, Tribal Organizations, Tribal Colleges or Universities	Planning (feasibility), broadband infrastructure deployment (construction), broadband adoption/digital literacy/tech support, digital skills training, Workforce Development, Devices/equipment, public connectivity/computer access, research and/or evaluation, data and/or mapping, smart communities/cities/regions, telehealth.
	State Digital Equity Planning Grant	NTIA	\$60 million	Formula grant program for states and territories to develop digital equity plans. Goal is to promote the meaningful adoption and use of broadband across targeted populations, including low-income households, aging populations, incarcerated individuals, veterans, individuals with disabilities, individuals with language barrier, racial and ethnic minorities, and rural inhabitants.	States, Territories, District of Columbia	Planning (e.g., feasibility).
	State Digital Equity Capacity Grant	NTIA	\$1.44 billion	Formula grant program with funds distributed via annual grant programs over five years to implement digital equity projects and support the implementation of digital equity plans, thereby promoting digital inclusion of targeted populations.	States, Territories, District of Columbia	Planning (e.g. feasibility), broadband adoption/digital literacy/tech support.

Name of Program	Agency	Funding	Description	Recipients/Eligible Applicants	Eligible Uses/Service to be Provided
State Digital Equity Competitive Grant	NTIA	\$1.25 billion	Discretionary grant program with funds distributed via annual grant programs over five years to implement digital equity projects, thereby promoting digital inclusion of targeted populations.	Local Education Agency; state governments, including any political subdivisions of the state; Tribal/Native American governments; non-profit organizations; community anchor institutions; and work Force development programs.	Broadband adoption/digital literacy/tech support, digital equity programs
Middle Mile Grants Program	NTIA	\$1 billion	The program funds construction, improvement or acquisition of middle mile infrastructure. Purpose is to expand and extend middle mile infrastructure to reduce the cost of connecting unserved and underserved areas to the internet backbone.	Eligible applicants include states, counties, cities/townships and their subdivisions; tribal governments; Native American entities; public utility districts; economic development authorities; regional planning councils; technology and telecommunications companies; electric utilities; electric cooperatives; and nonprofits.	Broadband infrastructure deployment (e.g., construction)
U.S. Dept. of Agriculture ReConnect Program	Dept. of Agriculture Rural Utilities Service (RUS)	\$1.926 billion	The ReConnect Program offers loans, grants and loan-grant combinations to build infrastructure and install equipment to provide modern, reliable high-speed Internet in rural America. ReConnect Program is funded by annual appropriations, CARES Act, and IJA.	Rural areas (specifically defined) without sufficient access to broadband (100Mbps down/20Mbps up). Eligible recipients include most state and local government entities, federally-recognized tribes, nonprofits, for-profit businesses, consortia of eligible entities.	ReConnect funds capital costs including construction, improvement, or acquisition of facilities and equipment needed to provide broadband capable of delivering 100 Mbps symmetrical service and acquisition of an existing system not currently providing sufficient access to broadband. Up to 5% may be used for preapplication expenses.
US. Dept. of Agriculture Broadband Loan program	Dept. of Agriculture Rural Utilities Service (RUS)	\$74 million	The Rural Broadband Access Loan and Loan Guarantee Program makes loans and loan guarantees to finance construction, improvement or acquisition of facilities and equipment needed to provide high speed broadband service in eligible rural areas.	Corporations, Limited Liability Company, Cooperative or Mutual Organizations; a State or Local Unit of Government.	Broadband loans provide funding on a technology-neutral basis for financing the construction, improvement and acquisition of facilities required to provide broadband service.
Private Activity Bonds	IRS Internal Revenue Code	\$600 million	States are allowed to issue Private Activity Bonds to finance broadband deployment, specifically for projects in rural areas where a majority of households do not have access to broadband (25/3 Mbps) if at least 90% of locations provided service did not have access to broadband before.	PABs can be issued by a local government, industrial development authority, housing finance authority, or other authorized entity, subject to state volume cap as allocated among regions by State of Florida.	The IJA amends the Internal Revenue Code creating a new category of exempt facility bond which is called "qualified broadband projects" to help fund those projects.
Affordable Connectivity Outreach Grants	FCC Wireline Competition Bureau	TBD	This program helps inform and educate consumers about the ACP program, the FCC may provide grants to outreach partners.	TBD	TBD
U.S. Dept. of Agriculture ReConnect Program	US Dept. of Agriculture Rural Utilities Service (RUS)	\$350 million in grants available for Tribal Governments, \$35 million max award; \$200 million in loans, \$50 million max award; \$250 million in combo loan/grant; \$350 million available for grants, \$35 million max award	ReConnect furnishes loans and grants to provide funds for the costs of construction, improvement, or acquisition of facilities and equipment needed to provide broadband service in eligible rural areas. Up to 5% of the award may be used for preapplication expenses.	Corporations, limited liability companies and partnerships, cooperatives or mutual organizations, states or local governments or subdivisions, territories, or Indian tribes.	Costs of construction, improvement or acquisition of facilities and equipment needed to provide broadband service in eligible rural areas. Potential awardees must meet a 100 Mbps symmetrical minimum service requirement in all proposed service area.

	Name of Program	Agency	Funding	Description	Recipients/Eligible Applicants	Eligible Uses/Service to be Provided
Existing Programs	Community Connect Grant Program	US Dept. of Agriculture Rural Utilities Service (RUS)	Community Connect Grant Program	Community Connect provides financial assistance to eligible applicants that will provide broadband service in rural, economically-challenged communities where broadband service does not exist (lacking 10/1 Mbps).	Incorporated organizations, federally recognized tribes, state and local units of government, other legal entities including cooperatives, private organizations, or LLCs.	The construction, acquisition, or leasing of facilities, spectrum, land or buildings used to deploy broadband service for all residential and business customers located within the Proposed Funded Service Area or all participating critical community facilities (such as public schools, fire stations, and public libraries) or for providing broadband service free of charge to same for two years.
	E-Rate – Schools and Libraries USF Program	FCC - Federal Universal Service Fund (USF)	Ongoing	The schools and libraries universal service support program, known as the E-rate program, helps schools and libraries to obtain affordable broadband by funding discounts for service pricing. Category one services are to a school or library (telecommunications, telecommunications services and Internet access), and category two services deliver internet access within schools and libraries (internal connections, basic maintenance of internal connections, and managed internet broadband services). Discounts for service pricing increase with the percentage of students eligible for free or reduced price school lunches, and vary depending on whether the school/library is located in an urban or rural area. Discounts range from 20% to 90% of the prices of eligible services. It is administered by the Universal Service Administrative Company under the FCC's direction and is not dependent on Congressional appropriations.	Schools and libraries	Telecommunications, telecommunications services and internet access (category one) and services that deliver internet access within schools and libraries such as internal connection, basic maintenance of internal connections, and managed internet broadband services (category two); Emergency Management Grants.
	Rural Digital Opportunity Fund (RDOF)	FCC - Federal Universal Service Fund (USF)	\$20.4 billion over 10 years, up to \$16 billion in Phase I, \$4.4 billion in Phase II	RDOF funding is awarded from the FCC Universal Service Fund through a reverse auction process for eligible areas – census blocks where no provider is offering broadband at 25/3 Mbps. Eligible entities (those which establish baseline financial and technical capabilities) may bid to serve one or more eligible areas. Bids must state a performance tier commitment – Minimum, Baseline, Above Baseline, or Gigabit – each of which has associated speed and other requirements. Upon notification of award, winning bidders must submit a detailed long form application for approval of funding to the FCC including certification of eligible telecommunications carrier status. Phase I funding is being awarded for the auction which concluded November 25, 2020. Phase II auction will occur to cover locations in census blocks that are partially served, as well as locations not funded in Phase I. FCC USF is not dependent on Congressional appropriations.	Entities seeking to participate must establish baseline financial and technical capabilities in order to be eligible to bid.	Construction of facilities to provide broadband and voice services to serve all locations in the eligible area at the committed performance tier (speed, latency, data usage). At least one broadband and voice service must be offered at rates that are reasonably comparable to the rates for similar service in urban areas.

	Name of Program	Agency	Funding	Description	Recipients/Eligible Applicants	Eligible Uses/Service to be Provided
	Lifeline	FCC - Federal Universal Service Fund (USF)	Ongoing	Lifeline program originated in 1985 to provide a discount on phone service for qualifying low-income consumers. In 2016 the FCC extended the program to provide discounts for broadband internet access. The Lifeline program is funded from the FCC's Universal Service Fund and administered by the Universal Service Administrative Company (USAC). USAC is responsible for data collection and maintenance, support calculation and disbursement for the Lifeline program. The FCC USF is not subject to Congressional appropriations.	Eligible low-income consumers in every state, territory, commonwealth, and on Tribal lands.	Discounted telephone service and broadband for low-income consumers.
	Connect America Fund CAF II	FCC - Federal Universal Service Fund (USF)	Ongoing (approximately \$5 billion annually to eligible recipients)	This is part of the Universal Service High Cost program and is designed to expand access to voice and broadband services for areas where they are unavailable.	Service providers	Subsidizes the cost of building network infrastructure or performing network upgrades to provide broadband in areas where it is lacking.
	Connecting Minority Communities Pilot Program	NTIA	\$268 million	The CMC program seeks to expand educational instruction and remote learning opportunities, spur economic development, create opportunities for employment and entrepreneurship, by building the digital capacity of the eligible institutions and furthering broadband access, adoption, and digital skills within those institutions and in their surrounding anchor communities. Grants are for the purpose of extending broadband internet access, connectivity and digital inclusion, and will be distributed to help these entities purchase broadband service or equipment, hire IT personnel, operate a minority business enterprise, and facilitate educational instruction and learning. The CMC program was established by the Consolidated Appropriations Act, 2021.	Historically Black Colleges or universities, Tribal Colleges or Universities and minority-serving institutions or eligible consortiums.	Purchase broadband service or equipment, hire IT personnel, operate a minority business enterprise, and facilitate educational instruction.
	Broadband Infrastructure Program	NTIA	\$288 million	This broadband deployment program is directed to partnerships between a state, or one or more political subdivisions of a state, and providers of fixed broadband service to provide qualifying broadband service (greater than 25/3 Mbps) to eligible service areas. Funding was established by the Consolidated Appropriations Act, 2021.	Partnership of a state or one or more subdivisions and a provider of fixed broadband service.	Grants to covered broadband projects, defined as competitively and technologically neutral projects for the deployment of fixed broadband service in eligible areas.
	Telecommunications Infrastructure Loans and Loan Guarantees	Dept. of Agriculture Rural Utilities Service (RUS)	Ongoing	This program provides financing for the construction, maintenance, improvement and expansion of telephone service and broadband in rural areas. The types of loans available are: cost-of-money loans from RUS; Loan Guarantees through the Federal Financing Bank; Hardship Loans from RUS to serve underserved areas.	State and local governmental entities; Federally Recognized Tribes; non-profits, including Cooperatives and limited dividend or mutual associations, for-profit businesses. Eligible areas are rural areas and towns with a population of 5,000 or less, areas without telecommunications facilities or areas where the applicant is the recognized telecommunications provider.	Loans may be used to finance telecommunications services in rural areas for new construction, improvements, expansions, acquisitions (if cost is incidental to cost of improvements), and refinancing.

	Name of Program	Agency	Funding	Description	Recipients/Eligible Applicants	Eligible Uses/Service to be Provided
	Coronavirus State and Local Fiscal Recovery Funds	Department of Treasury	\$10 billion	American Rescue Plan (ARPA) provides funds to eligible governments to be used to make necessary investments in broadband infrastructure which has been shown to be critical for work, education, healthcare, and civic participation during the public health emergency. The priority is to fund reliable, affordable broadband infrastructure and other digital connectivity technology projects. The program encourages projects that are designed to serve locations without access to reliable wireline 100/20 Mbps broadband service. Recipients must require the service provider to participate in the Affordable Connectivity Program.	States, territories, Tribal governments	The project invests in capital assets designed to directly enable work, education and health monitoring. The capital project is designed to address a critical need that resulted from or was made apparent or exacerbated by the Covid-19 public health emergency. The capital project is designed to address a critical need of the community to be served. Eligible uses include broadband infrastructure projects (with symmetrical speeds of 100 Mbps), Digital Connectivity Technology Projects, Multi-Purpose Community Facility Projects (that directly enable work, education and health monitoring) located in communities with critical need for the project. Also more may be eligible on case-by-case review.
	Florida Broadband Opportunity Fund	Florida Dept. of Economic Opportunity	FY 2022-23 appropriation of \$400 million from the General Revenue Fund contingent upon state receipt of federal Coronavirus State Fiscal Recovery Funds.	The appropriation is to expand broadband Internet service to unserved areas of the state through the Broadband Opportunity Program. Grants are to be made for installation or deployment of infrastructure that supports the provision of broadband Internet service pursuant to Fla. Stat. § 288.9962.	Eligible applicants include: corporations, limited liability companies, and general, or limited, partnerships that are organized under Florida law or authorized to do business in Florida; political subdivisions; Indian tribes; and governmental entities or educational institutions under certain circumstances (Fla. Stat. § 288.9962)	BOP to award grants to applicants who seek to expand broadband Internet service to unserved areas of Florida. Grants are to fund installation or deployment of infrastructure that supports the provision of broadband Internet service. Grant funds may not be used for broadband Internet service in areas where broadband is already deployed. The Florida Office of Broadband may not award grants to provide broadband in an area where federal funding has been awarded (Fla. Stat. § 288.9962).

Disclaimer: this table is compiled from identified source information and does not purport to collect all information regarding each and every broadband program. Rapid developments are occurring with regard to funding of broadband expansion in underserved and unserved areas. Please check relevant agency websites for updated and current information.

20-Apr-22

Sources:

1. *Building A Better America: Guidebook to the Bipartisan Infrastructure Law for State, Local, Tribal, and Territorial*
2. *State and federal agency websites including the Florida Department of Economic Opportunity, Federal*
3. *Bipartisan Infrastructure and Jobs Act Summary: A Road to Stronger Economic Growth*
4. *Coronavirus State & Local Fiscal Recovery Funds: Overview of the Final Rule; U.S. Department of the Treasury*
5. *Online Sunshine, The 2021 Florida Statutes*

Links:

- https://www.whitehouse.gov/wp-content/uploads/2022/01/BUILDING-A-BETTER-AMERICA_FINAL.pdf
See above.
- <https://www.cantwell.senate.gov/imo/media/doc/infrastructure%20investment%20and%20jobs%20act%20-%2>
- <https://home.treasury.gov/system/files/136/SLFRF-Final-Rule-Overview.pdf>
- <http://www.leg.state.fl.us/Statutes/index.cfm?Mode=View%20Statutes&Submenu=1&Tab=statutes>



From: Kelly, Alex [Alex.Kelly@eog.myflorida.com]
Sent: Wednesday, June 15, 2022 9:49 AM
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Subject: RE: Broadband
Attachments: June 2 Draft - Florida Broadband Strategic Plan TED&AK.docx

The attached has both my comments and those of the TED unit.

I think we have some drilling down to do in the attached, to better tie it to some key themes related to economic growth. Because it's close to a moral high ground, but it's not fully connected to it.

- For example, the attached consistently uses the phrase "healthcare" which is very broad. We're interested in healthier Floridians because healthier Floridians get to school and work. We don't want this to be a "healthcare" document.
- Our applications for Broadband and Capital Projects, and the Broadband rule, are all going to point to how does a project ultimately contribute to economic growth, because of the types of information we're collecting, so the word choice should point that direction.

I think we have more than enough time to take a couple more passes at this, after today's discussion and DOE incorporates the changes from the attached. And when we get another draft, I know I'd like one more chance to wordsmith some phrases we're using.

Note though I'll likely be in the car during today's meeting, so I'll just plan on trying to dial up Meredith when the meeting starts, if I can.

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-----Original Appointment-----

From: Elkins, Michelle <Michelle.Elkins@LASPBS.STATE.FL.US>
Sent: Thursday, June 9, 2022 2:06 PM
To: Elkins, Michelle; Smith, Christina; Spencer, Chris; Pollins, Stu; Coyle, Frances; Gunder, Brandi; Kelly, Alex; Blewett, Jack; Melnick, Benjamin; Ivey, Meredith; Katie Smith
Subject: Broadband
When: Wednesday, June 15, 2022 3:00 PM-3:30 PM (UTC-05:00) Eastern Time (US & Canada).
Where: Capitol- 1702

Florida Department of Economic Opportunity

THE FLORIDA STRATEGIC PLAN FOR BROADBAND

Broadband Internet Infrastructure Strategies
for a Connected Economy to Support Workforce
Development, Education, and Healthcare.



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Overview

Executive Summary: The Florida Legislature directed the Florida Department of Economic Opportunity's (DEO or Department) Office of Broadband to develop a strategic plan to guide the State of Florida in broadband Internet expansion and improvement. Under the leadership of the Governor, the Department has undertaken this task with coordination, input, participation, and support from partners and Floridians across the state. This document lays out the vision of the Office of Broadband, the elements and steps of the strategic plan, the roles for state and local stakeholders, and the strategies to undertake as Florida works toward the expansion of broadband Internet.

Vision: DEO's mission is to assist the Governor in advancing Florida's economy by championing the state's economic development vision and by administering state and federal programs and initiatives to help visitors, citizens, businesses, and communities. DEO's role is to holistically focus on the state's workforce, economy, and community development. This is accomplished by strengthening the connections and partnerships between workforce investments, economic development, and strong communities.

DEO's Office of Broadband works with local and state government agencies, community organizations, and private businesses to increase the availability and effectiveness of broadband Internet throughout the state, specifically in small and rural communities. Through these partnerships, Florida will be a national leader in broadband Internet connectivity, infrastructure, and utilization to enhance workforce viability, education opportunities, and telehealth initiatives.

Florida's Strategic Plan for Broadband represents the commitment the state is making to all Floridians to ensure broadband internet is available for education to support schools and workforce growth, telehealth to support citizens and medical practitioners, and infrastructure expansion to support resiliency and future connectivity.

Intent and Format of this Strategic Plan: The vision comports with legislative findings in the Florida Broadband Deployment Act of 2021, ("2021 Act"; Ch. 24, 2021 Fla. Laws, codified at §§ 288.9961-288.9963, Fla. Stat.) "that the sustainable adoption of broadband Internet service is critical to the economic and business development of this state and is essential for all residents of this state, libraries, schools, colleges and universities, health care providers, and community organizations" (§ 288.9961(1), Fla. Stat.).

This Strategic Plan provides guidance for state decision makers about investments for the provision of high-speed, reliable broadband Internet service access to all Florida communities in support of telemedicine, education opportunities, workforce development, and community development. To

that end, Florida will pursue its goal of expanding the availability as well as the adoption and use of broadband Internet to unserved and underserved communities by identifying and leveraging funding opportunities and partnerships.¹

This Strategic Plan provides a linear three-step approach to fully realize broadband Internet connectivity for economic growth. A connected economy which stems from and fuels workforce development, health care, and education will create economic growth. The three-step approach is focused on building a connected economy where availability, adoption, and use of digital content provide the three steps to expanding and enhancing broadband Internet in Florida.

Accountability is the foundation for success of the three steps: availability, adoption, and use of digital content. An initiative without accountability, however well-intentioned it is, lacks longevity and the ability to meaningfully impact the lives of the Floridians who need it most. As such, all three steps build linearly to ensure a connected economy is supported by, and stands firmly upon, accountability, which is specifically addressed in Strategies 21 and 22.

3 steps to a Connected Economy



The three steps of Availability, Adoption, and Use, lead to a Connected Economy supporting development of Workforce, Education, and Health Care, and each step must be undertaken with a high level of Accountability.

¹ “Unserved” in the 2021 Act means an area of the state where there is no provider of broadband Internet service having speeds over 25/3 Mbps. “Underserved” in the 2021 Act means an area of the state where there is no provider of broadband Internet service at speeds over 100/10 Mbps.

Creating a Connected Economy: Availability, Adoption, and Use

A connected economy is one that leverages broadband Internet services and infrastructure in order to fully participate in and utilize opportunities of workforce development, healthcare, and education. As broadband Internet continues to play a pivotal role in accessing and utilizing services and components in each of these priorities, a connected economy is critical in economic development and growth.

The three steps to creating a connected economy are availability, adoption, and use. Each step builds from the previous. There won't be broadband internet *use* without adoption of broadband internet service, and it cannot be *adopted* if it is not *available*. Availability, adoption, and the use of broadband Internet services throughout Florida will allow the state's residents to reap benefits from a connected economy that fuels advancements and allows more Floridians to fully partake in available workforce, education, and healthcare opportunities. This Strategic Plan will help Florida reduce the digital divide² that exists between areas that are fully equipped to realize the benefits of broadband Internet service and those that are not. Florida's diversity dictates the use of various methods, technologies, and configurations to ensure connectivity in a manner best suited to resident needs. This Strategic Plan is a guide to systematically ensure the workforce, education, and healthcare sectors, as a whole, are strengthened.

Step One: AVAILABILITY is a precondition for connecting to the Internet. While this is a crucial first-step, the availability of a connection alone does not guarantee Internet use, nor does availability of a connection guarantee adequate service. Need and ability must coalesce to create use. The need for broadband Internet is widespread and varied, and the ability is similarly situated. Together these rely on availability and will make no progress without available broadband Internet at reliable speeds. If broadband Internet is not reliably at sufficient speeds, it is nearly the same as being entirely unavailable. When asked during workshops held in 2021, which barriers existed to accessing broadband Internet service, reliability of service was the dominant factor followed by cost. Participants' responses were somewhat different in rural and urban counties: "In rural areas, important factors discussed were reliability, provider presence, technology, and cost. Participants representing urban areas focused on reliability, cost, and speed. Urban areas with economically challenged populations placed more importance on cost and provider presence" (DEO, 2021b, p. 17). Increasing availability of broadband Internet is itself a worthwhile endeavor and part of the goal of the Office of Broadband. Creating infrastructure today which can be leveraged tomorrow is critical to continued economic growth and a sustained connected economy.

² The gap between people who have access to broadband Internet services, have adopted it, and know how to use digital content (digital literacy), and those who do not.

Step Two: ADOPTION occurs when consumers subscribe to high-speed Internet services. Once subscribed to a broadband Internet service, “end users” typically obtain services through the use of computers, tablets, and smartphones. Adoption has been growing in recent years. There are ever increasing components of everyday life requiring connectivity, as well as a growing multitude of methods and tools to connect to a service. Adoption is the second step in growing a connected economy to ultimately benefit the lives of Floridians; however, adoption by itself is not sufficient to promote a connected economy and the resulting economic growth. Adoption of broadband Internet requires the next step, that of using the technology and the Internet within the connected economy.

Step Three: USE, or digital literacy in this context, may contribute to Floridians’ willingness to adopt broadband Internet services and prosper using those services, because it is the ability to use a variety of broadband Internet-enabled devices to engage in online services. One formal definition of digital literacy is “[t]he ability to leverage current technologies, such as smartphones and laptops, and Internet access to perform research, create content, and interact with the world” (National Telecommunications and Information Administration [NTIA], 2016, p. 5). Use of reliably available Internet services is the third and final step for individual Floridians to fully leverage a connected economy using broadband Internet services.

Accountability is critical component to balance this Strategic Plan; however, it is not a singular step for the citizens of Florida to undertake in the linear three-step process of creating a connected economy. Rather, it is the responsibility of the Office of Broadband to ensure the process of providing available, adoptable, and usable broadband Internet service is accountably conducted. Accountability is therefore part of each step while also being a precursor and a follow-up in all aspects of creating the connected economy.

How Do We Link Availability, Adoption, and Use to Create a Connected Economy?

This Strategic Plan recognizes the importance of a connected economy for economic growth and community development. Implementing the Strategic Plan will involve a unified effort involving state and local governments, providers, and key stakeholders. These important partnerships will ensure that success realized from expanded broadband Internet infrastructure will contribute to vibrant economic growth. This Strategic Plan has outlined the three-step linear process with the end goal of increasing availability of broadband Internet services so that it can be adopted and used today as well as providing scalability to accept new adoption and use, allowing future economic growth.

Adoption Must be Sustainable

The 2021 Act underscores the importance of “sustainable adoption” of broadband Internet service. This phrase has a specific meaning in the statute and refers to “the ability for communications service providers to offer broadband services in all areas of this state by encouraging adoption and use levels that allow for these services to be offered in the free market absent the need for governmental subsidy” (§ 288.9961(2)(e), Fla. Stat.). Thus, the long-term goal is persistent consumer demand and easy access to broadband Internet services without subsidies.

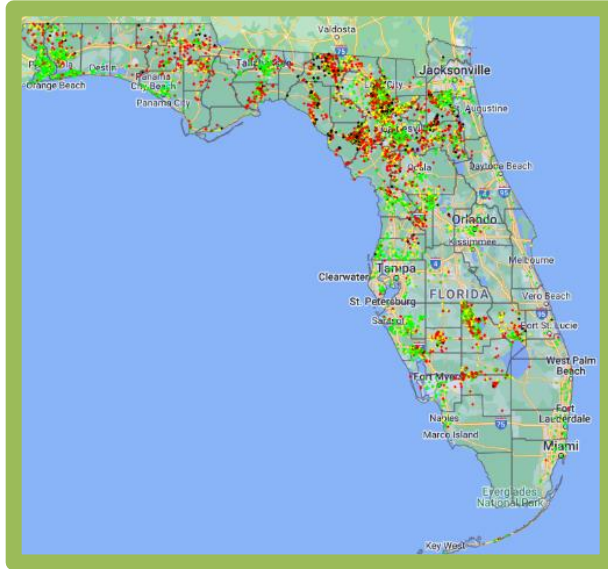
The Role of Florida’s Communities

At its heart, this Strategic Plan is a community-based approach to ensure service needs are identified and met in unserved and underserved areas. The three steps to building a connected economy — availability, adoption, and use — support Florida’s resiliency only if Florida’s communities assume primary responsibility for contributing to this effort. In this way, Florida communities share the underlying theme of accountability with the Office of Broadband.

What are the communities' roles, and what must they decide?

- P**ARTNER WITH STAKEHOLDERS: *Who will their partners be?*
- P**LAN FOR BROADBAND INTERNET DEPLOYMENT: *What information and other data will partners need?*
- P**AY FOR BROADBAND INTERNET DEPLOYMENT: *What funds will be used?*
- P**ROVIDE FOR BROADBAND INTERNET DEPLOYMENT: *Who will build and provide these services?*
- P**PROMOTE ADOPTION AND USE: *How will this be done?*

The Role of the State



The state has a leadership role in accountably ensuring that broadband Internet availability, adoption, and use are sustainable in every community and rural area for a resilient Florida future. Therefore, the state will support and facilitate the actions of communities to achieve these goals. This Strategic Plan identifies how the state will support and facilitate the work communities have before them in identifying and planning how to meet their broadband Internet needs. Some of this work began before the development of this Strategic Plan, as evidenced by the creation of the office in 2020 and the further groundwork completed by the Legislature and DEO in 2021 and early 2022.

As broadband Internet is critical for many facets of economic development and an integral part of infrastructure, DEO is statutorily charged with overseeing broadband Internet expansion initiatives (§ 288.9961(3), Fla. Stat.). This charge fits within DEO's mission to assist the Governor in advancing Florida's economy by championing the state's economic development vision and by administering state and federal programs and initiatives to help visitors, citizens, businesses, and communities. DEO's role is to holistically focus on the state's workforce, economic, and community development initiatives by strengthening the connections between workforce investments, economic development, and communities.

DEO's Office of Broadband was established in July 2020 to work with local and state government agencies, community organizations, and private businesses to increase the availability and effectiveness (adoption and use) of broadband Internet throughout the state, specifically in small and rural communities. Through these partnerships, Florida aspires to be a national leader in broadband Internet connectivity, infrastructure, and utilization to enhance workforce viability, education opportunities, and telehealth initiatives.

The 2021 Act directed the Office of Broadband to complete the following tasks:

- Develop a map of broadband Internet service availability throughout the state;
- Review and verify public input regarding transmission speeds and availability of broadband Internet services throughout the state;
- Develop, market, and promote broadband Internet services in the state;
- Create a strategic plan to increase the use of broadband Internet services in the state;
- Build and facilitate Local Technology Planning Teams (LTPTs) or partnerships;
- Participate in the Federal Communications Commission (FCC) proceedings that are related to the geographic availability and deployment of broadband Internet in Florida; and
- Establish the Broadband Opportunity Program and rules for the program to award grants to applicants who seek to expand broadband Internet to unserved areas, subject to appropriations (§ 288.9961(4), Fla. Stat.).

In its first two years of existence (2020-2022), DEO's Office of Broadband began laying the groundwork for broadband Internet expansion in Florida. The first steps in this effort are documented in Appendix E.

Funding³

While maintainable, reliable adoption of broadband Internet service is the long-term goal, in some areas of the state, the cost of providing service is too high to be completely covered by customer charges—at least in the short term. The state has developed funding mechanisms and a plan to use various federal funding streams with the goal of ensuring that broadband Internet services can be deployed in Florida communities. The state will use other federal funds to support adoption and usage efforts and programs.

Each potential source of funding brings a set of guidelines that the Office of Broadband can utilize to create a robust program that interconnects separate funding sources to maximize the effectiveness of the whole. This should be done by leveraging each funding source into a primary focus and supporting activities. For example, the Capital Projects Fund may be best suited for projects directly strengthening the workforce by improving job training, community connectivity, and health and human services, while the Broadband Opportunity Program may be best suited to assist homeowners in last mile connectivity.

The Florida Legislature appropriated \$400 million from the General Revenue Fund for the Broadband Opportunity Program in Fiscal Year (FY) 2022-2023.

³ Compiled at the time of drafting this Strategic Plan; information as of June 30, 2022.

The United States Department of the Treasury (U.S. Treasury) and the National Telecommunications and Information Administration (NTIA) in the U.S. Department of Commerce are two sources of funding via federal grants to the state. Several programs authorized by the 2021 Infrastructure Investment and Jobs Act (IIJA) are to be administered by NTIA. Other programs funded through IIJA appropriations and administered by other federal agencies include: the Affordable Connectivity Program by the FCC, the Broadband Loan Program, and the Reconnect Program by the U.S. Department of Agriculture.

Through the IIJA and NTIA, each state, including Florida, will receive an initial \$100 million for the Broadband Equity, Access, and Deployment (BEAD) program, including \$5 million to support broadband Internet planning, building capacity in state broadband Internet offices, and outreach and coordination with local communities. The BEAD program will be the largest of the broadband Internet programs administered by NTIA. Priority for use of the funds is as follows:

1. Broadband Internet deployment in unserved locations (those below 25/3 Megabits per second or Mbps);⁴
2. Underserved locations (those below 100/20 Mbps); and
3. Community anchor institutions (school, library, health clinic, health center, hospital or other medical provider, public safety entity, institute of higher education, public housing organization, community support organization).

Each state is required to submit a five-year action plan for the BEAD Program to the NTIA, which must be informed through a collaboration with local and regional entities. Funding to implement the action plan will be distributed based on a formula that considers the number of unserved and high-cost locations in the state, based on data displayed on maps to be published by the FCC in 2022.

Funding in the amount of \$366 million is available to Florida through the U.S. Treasury's Capital Projects Fund. The Executive Office of the Governor, in coordination with the Florida Legislature, has discretion as to how this funding will be used. Some funding may be used for broadband Internet: "A key priority of this program is to make funding available for reliable, affordable broadband infrastructure and other digital connectivity technology projects." (United States Department of the Treasury, 2022, para. 3).

These new federal programs add to long-standing broadband Internet funding programs developed and implemented by the FCC, such as the Connect America Fund (CAF) Phase II and Rural Digital Opportunity Fund (RDOF). These programs provide price discounts for low-income households, as

⁴ Broadband speeds: Speeds are expressed with two numbers, separated by a diagonal line "/", and a designation of the amount of data, such as "100/20 Mbps." The first number represents the amount of data users receive. The second number represents the amount of data users can send. Mbps: Megabits per second refers to millions of bits of binary information—zeros and ones—that are passed in a second. Gbps: Gigabits per second refers to the number of bits in billions.

well as funding for schools and libraries, to obtain broadband Internet and other advanced communications services; rural healthcare facilities to make broadband Internet more affordable; and primarily small broadband Internet providers in rural and high-cost areas.

Broadband Internet Strategies for a Connected Economy

Introduction

Reliable broadband Internet access is necessary for economic development in a modern economy, and it is increasingly becoming as critical to basic infrastructure needs as roads, water and wastewater services, and energy. Broadband Internet plays a central role in business development, jobs, healthcare, education, and other publicly-desired services, as it is the communities' connection to future economic growth. Current lack of broadband Internet contributes to the digital divide for entire communities, and the expansion of broadband represents a tremendous opportunity particularly for rural and underserved communities across the sunshine state, including the ability to grow and recruit businesses and generate high-quality and sustainable jobs. The 2021 Act addresses the need for broadband expansion to enable availability and increased useful adoption. There are some areas of the state where Internet Service Providers (ISPs) may be unable to provide service at this time because the revenue streams from consumers are insufficient to cover the costs of traditional infrastructure deployment, ongoing operations, and maintenance to ensure reliable connectivity. In other areas of the state, broadband may be available, but customer demand may be insufficient for providers to justify upgrading the infrastructure to higher speeds.

Likewise, there are areas of the state where broadband Internet services are available, but the public does not purchase them. The 2021 Act makes it clear that public subsidies are a temporary mechanism. The desired result of the state's public policy regarding broadband is "sustainable adoption" of broadband services by all Floridians. The 2021 Act defines "sustainable adoption" in a way that acknowledges the objective of providing broadband service without a subsidy.⁵ The need is to create resilient Florida communities free to thrive in a strong connected economy.

The 2021 Act created responsibilities at both the state and local levels to facilitate the expansion of broadband Internet service and help providers make the return on investment for sustainable adoption. At the state level, DEO is accountable as the lead agency to facilitate the expansion of broadband. (§ 288.9961(3), Fla. Stat.). The 2021 Act created a collaborative process between state and local communities. Through this initiative, the relationship between the state and local communities will vary depending on the goals, capabilities, and resources of each community. In some instances, local communities will take the initiative to identify unserved areas and take steps to expand broadband Internet infrastructure and service to those areas. In other instances, local

⁵ Sustainable adoption: The ability for communications service providers to offer broadband Internet services in all areas of this state by encouraging adoption and use levels that allow for these services to be offered in the free market absent the need for governmental subsidy. (§ 288.9961(2)(e), Fla. Stat.).

communities may be less proactive, especially in fiscally constrained communities, and the state may have a more direct role in expansion initiatives. Thus, this Strategic Plan is based upon state and local entities' collaborative and complementary efforts.

The complementary but distinct roles of state and local entities described in the 2021 Act raise two fundamental questions: 1) What is the state's role in providing broadband Internet service to the public?; and 2) What are the roles of local communities in providing broadband Internet service to the public? As you will see below, these are strategized separately in Section I: Availability.

Organization Of The Strategies For Implementing This Strategic Plan

This strategic plan is presented in three sections that follow:

- I. Availability
 - A. State Role in Availability
 - B. Local Role in Availability
- II. Adoption and Use
- III. Accountability

The state of Florida prioritizes the long-term resiliency and growth of each community and Florida as a whole; therefore, adoption without use will not meet the vision or intent of this Strategic Plan. It follows that steps two (adoption) and three (use) for creating a connected economy have been combined in Section II: Adoption and Use. It is vital for the state to create an accountable program to provide Floridians with opportunities to access education, telehealth, and workforce training and engagement through broadband Internet expansion. As such, accountability encompasses the third section of the strategies for implementing this plan, discussed in Section III: Accountability.

There are strategies and action steps suggested in each Section which, when considered together, will assist the state with accomplishing its goals of increasing the availability, adoption, and use of broadband Internet throughout the state.

I. Availability

A. State Role in Availability

The 2021 Act outlines the state's lead role supporting broadband Internet expansion to all individuals and organizations:

The Legislature finds that the sustainable adoption of broadband Internet service is critical to the economic and business development of this state and is essential for

all residents of this state, libraries, schools, colleges and universities, health care providers, and community organizations. (§ 288.9961(1), Fla. Stat.).

Use of the defined term “sustainable adoption” in the findings implies that while public support may be important in the short term, the ultimate goal is for providers to be able to encourage “adoption and use levels” that allow the services to be offered without government subsidies. (§ 288.9961(2)(e), Fla. Stat.).

Two impediments to deploying broadband Internet expansion should be noted. The state’s actions alone cannot eliminate the following impediments:

1. Unserved and underserved areas are currently difficult to identify due to a lack of detailed data. To complicate matters, providers are continually scheduling, deploying, or modifying broadband Internet infrastructure projects so that no dataset will capture the status of a network perfectly. The complexities of provider deployment, lack of demand, and cost of deployment over time makes the designation of unserved and underserved areas moving targets. Furthermore, the crucial identification of unserved and underserved areas, based on federal definitions, which may be supported through the use of federal funds available when this Strategic Plan is developed, will be determined by the FCC. The FCC is expected to release its data and broadband Internet access maps in late 2022.⁶ This FCC map may not be the final guidance on area eligibility as the federal government is supposed to establish a process by which individual states can challenge the FCC’s data.
2. Federal statutory restrictions, in some instances, prevent use of funds from more than one federally funded, broadband Internet-related program in the same area.⁷ In addition to federal restrictions, Florida law prohibits the use of funding from the state’s Broadband Opportunity Program⁸ in areas where federal funds have been awarded. (§ 288.9962(8)(a), Fla. Stat.). The interaction of federal and state laws may limit how funds can be used for infrastructure deployment.

⁶ The FCC is in the process of updating its current broadband Internet maps with more detailed information on the availability of fixed and mobile broadband Internet services. The Broadband Data Collection program will give the FCC, industry, state, local and Tribal government entities, and consumers the tools to improve the accuracy of existing maps. See Broadband Deployment Accuracy and Technological Availability Act (P.L. No. 116-130).

⁷ In general, existing and planned broadband Internet projects using federal funds, e.g., RDOF, CAF Phase II, and the ReConnect Loan and Grant Program, in an area make that area ineligible for grants under the federal Broadband Infrastructure Program. The following is described in an FAQ regarding the ReConnect program and is illustrative: “For example, if a 100-count fiber cable is proposed to pass through ineligible and eligible areas and 30 fibers will serve the ineligible area, then 30 percent of the total cost of the fiber facility (installation and materials) must be funded through non-ReConnect and non-matching funds” (United States Department of Agriculture, 2022, p. 2).

⁸ DEO’s Broadband Opportunity Program is charged with awarding “grants to applicants who seek to expand broadband Internet service to unserved areas of this state.” (§ 288.9952(1), Fla. Stat.).

I.1. Develop local and regional partnerships to meet broadband Internet goals and coordinate with those partners to effectively use federal broadband Internet expansion funds in unserved and underserved areas

Strategy 1: Continue to build and engage Local Technology Planning Teams (LTPT) where possible. In areas where previously organized entities may be able to act as LTPTs, designate them as such if they are willing to take on the LTPT role.

Explanation: LTPTs were authorized by the 2021 Act to identify “current broadband availability, locate unserved and underserved [areas], identify assets relevant to broadband deployment, build partnerships with broadband service providers and identify opportunities to leverage assets and reduce barriers to the deployment of broadband Internet Services in the community.” (§ 288.9961(4)(b), Fla. Stat.). Specifically, this work is to be conducted with rural communities. The statutes’ focus on both the rural areas and the LTPTs’ work in “fiscally constrained” counties suggests that partnerships will help provide the capacity necessary to ensure successful broadband Internet projects.

Action Steps:

- a. Identify areas where LTPTs have not been formed and develop alternative means of engaging communities in the broadband Internet planning process.
- b. Encourage the development of regional LTPTs, especially where neighboring counties have similar broadband Internet needs.
- c. Design and conduct workshops to train LTPTs to perform the necessary needs assessments, collect data, and plan for broadband Internet expansion in their communities.
- d. Publish and/or make available information about the development, progress, and best practices employed by LTPTs and other local entities to identify and create plans for addressing the broadband Internet needs of their respective communities.
- e. Encourage LTPTs and communities to engage in broadband internet service planning and document that engagement.

I.2. Collect, maintain, and analyze up-to-date, reliable, detailed data with which to identify unserved and underserved areas of the state

Strategy 2: Develop an ongoing program to enhance the state broadband Internet dataset. Leverage other broadband Internet data resources, including data collected by LTPTs and local and regional organizations. Ensure the Office of Broadband collects and maintains data through its grant activity.

Explanation: Continued coordination of LTPTs, as well as local and statewide workshops, will raise awareness of the importance of local involvement in the information-gathering process and of broadband Internet expansion constraints imposed by state and federal law. Obtaining the necessary data with which to identify unserved and underserved areas is key to meeting reliable and sustainable broadband Internet service needs of those areas. Local entities developing broadband Internet plans will be most effective in gathering necessary broadband Internet availability and use information from residents and businesses. Such information may be derived from surveys or other methods that will identify broadband Internet service gaps.

Data collected by LTPTs and other grant applicants can be provided to the Office of Broadband in local plans or grant applications for the Office of Broadband's use to support the allocation of federal and state funds to expand broadband Internet infrastructure and service.

The 2021 Act states that "the [strategic] plan must include a process to review and verify public input regarding transmission speeds and availability of broadband Internet service throughout this state." (§ 288.9961(4)(a), Fla. Stat.). Among the types of public input that might be relevant are crowdsourced data, commonly collected via online speed tests, such as the one on the Office of Broadband's website. The need for verification of crowdsourced data is supported by analyses that have shown online speed test results to understate availability and perhaps speeds (PURC, 2022). DEO's Office of Broadband should consider actively maintaining the publicly accessible speed test and map to capture real-time data and display real-time improvement results, but utilize multiple data sources to verify reported speed test results and calibrate the data as necessary.

Action Steps:

- a. Conduct workshops for LTPTs and other regional groups to share best practices related to data collection and management.
- b. Provide resources to help LTPTs identify local broadband Internet service needs.
- c. Encourage LTPTs and regional organizations to conduct surveys and use survey responses to identify unserved and underserved areas.
- d. Assemble locally collected data submitted in local broadband Internet plans and grant applications.
- e. Review and verify the Florida crowdsourced⁹ and other publicly obtained data regarding broadband Internet availability in Florida to determine its validity and predictive power. Analyze such data in conjunction with data obtained from

⁹ Crowdsourcing, in this context, is online collection of Internet speed data from Floridians who voluntarily take part in speed tests with their own Internet-accessible devices, such as personal computers, tablets, or smartphones.

other public sources, including the FCC, the U.S. Census Bureau, Ookla, Microsoft, and the Technology Policy Institute.

I.3. Data covering and used for providers' expansion plans

Strategy 3: Use data to identify areas at a more granular level where federal broadband Internet expansion funds have been used or will be used to ensure compliance with state and federal law and to identify unserved and underserved areas.

Explanation: Detailed data are needed to pinpoint the locations of unserved and underserved areas. Florida historically relied on FCC maps developed several years ago and annually updated. These maps tend to overstate broadband Internet connectivity because if one household has connectivity in a census block, the entire block is counted as having connectivity. In rural areas, a single census block could constitute many square miles (PURC, 2022).

The FCC is updating and expanding its mapping efforts, and information from the updated map will be used by the federal government to determine unserved and underserved areas for the purposes of some federal programs. However, states will be allowed to challenge the FCC's updated maps. To do so, Florida will need to gather and analyze accurate data and identify instances where the FCC's map appears to be flawed. Moreover, challenging FCC data may be necessary to maximize federal funds flowing to the state.

The same data required for the release of federal funds for broadband Internet expansion may be necessary to ensure compliance with state law and implement the Broadband Opportunity Program. The challenge process in state law, as well as the state's responsibility for appropriate use of federal and state funds for broadband Internet projects, will necessitate the collection of data going forward (§ 288.9962 (6)(c) (1-3), Fla. Stat.).

As noted previously, some unserved and underserved areas may not benefit from federal funding from the federal IJA (P.L. 117-58) for broadband Internet expansion and connectivity due to restrictions in DEO's Broadband Opportunity Program and possibly federal programs such as the FCC's Rural Digital Opportunity Fund (RDOF) and Connect America Fund II (CAF II) and the U.S. Department of Agriculture's ReConnect Loan and Grant Program.

Action Steps:

- a. Compile available information about areas that have broadband Internet service and areas that providers have committed to serve using federal

broadband Internet expansion funds. In addition, collect the anticipated duration of any expansion commitments to the extent known.

- b. Develop a process to collect and monitor any such data at least annually.

Strategy 4: Develop and implement a method by which to acquire information about Internet service providers' broadband Internet expansion plans to understand where, how, and when various Internet service providers will initiate or improve service in unserved or underserved areas.

Explanation: An aspect of data gathering and management relates to information about where, how, and when various Internet service providers will initiate or improve service in unserved or underserved areas. However, providers may be reluctant to share information they consider to be competitively sensitive. Therefore, there will be an asymmetry of information between the Internet service providers and the state regarding the providers' commitment to service in specific areas. Efforts to obtain that information from providers could be a challenge.

Regular meetings between DEO's Office of Broadband and Internet service providers may facilitate information-sharing regarding expansion plans; however, the Office of Broadband, and providers that are direct grantees of the state, will need to exercise caution in participating in any such meetings to avoid a conflict of interest.

Action Steps:

- a. Have the Office of Broadband meet regularly with Internet service providers to learn about their observations regarding the viability of conducting business in unserved areas and upgrading service in underserved areas.
- b. Create legal pathways for sharing sensitive or confidential business information such as entering into data share agreements with providers, as necessary, to obtain more information about their not-yet-disclosed-commitments for expanding broadband Internet services.

I.4. The overarching economic challenge for making broadband Internet available

Strategy 5: Develop an approach to identify locations where sustainable broadband Internet expansion or improvement will not be economically feasible for providers in the foreseeable future due to low adoption levels or geographic barriers.

Explanation: Sustainable broadband Internet adoption is not currently feasible in some areas of the state because the costs of providing services in those areas exceed customers'

willingness or ability to pay for the services. In these areas, there may be greater opportunities for alternative solutions to play a larger role in providing broadband Internet services.

Action Steps:

- a. Establish methods for leveraging state and local resources, including the Florida Broadband Availability and Speed Test Map, to identify unserved and underserved areas in the state.
- b. Continue to collect and maintain information about unserved and underserved areas in the state's broadband Internet datasets.¹⁰
- c. Continue to engage with technology and equipment companies to understand the methods by which broadband Internet service may be provided to an area.
- d. Encourage planning efforts to maintain updated estimates on both the potential costs to provide service as well as the potentially available technologies to provide that service and what speeds this would bring to the areas.

I.5. Positioning to undertake statewide broadband improvement

Strategy 6: Evaluate all aspects of state and federal funding program requirements and determine the need for and best use of consultants to implement a grant-making process.

Explanation: DEO administers various grant programs, such as the Small Cities Community Development Block Grant and nearly \$2.5 billion through the Community Development Block Grant - Disaster Recovery and Community Development Block Grant - Mitigation programs through its Office of Long-Term Resiliency to facilitate recovery efforts in response to Hurricane Hermine and Matthew (2016), Hurricane Irma (2017), Hurricane Michael (2018), and Hurricane Sally (2020), as well as mitigation and resiliency efforts. DEO's experience with the administration of these programs will inform the development of broadband Internet expansion grant administration.

Additional specialized expertise may be required to implement a suitable grant administration process. Supplementing the state-level capacity with contracted services can help accomplish the tasks associated with this large funding project without making long-term staffing commitments, which may not be necessary.

¹⁰ Discussion of datasets is included in the "Managing Data" section below.

Action Steps:

- a. Leverage capacity within DEO to design and manage grant processes that will meet the scope and requirements of the state and federal programs that fund the state's broadband Internet expansion.
- b. If third parties are needed, develop criteria for consultant selection and coordinate input into the process of selecting third parties to complete selection as quickly as possible. Depending on the projects for which third parties are needed, they will need to have the following requirements:
 1. Analytic skills such as mapping and data analysis (including take rates, affordability, etc.) necessary to identify where services are needed and how much it will cost to serve these areas;
 2. An understanding of cost analysis based on geographic and technology differences across the state and an understanding of the revenue needs of providers to derive estimates of funding necessary to ensure broadband Internet deployment in unserved and underserved areas;
 3. Knowledge of grant administration processes and management;
 4. Experience working in a number of states;
 5. Detailed knowledge of relevant federal funding programs and their requirements; and,
 6. Demonstrated ability to adhere to a complex timeline.

I.6. Implement grant development administration processes for providers

Strategy 7: Implement the most effective and efficient means of using broadband Internet grant funds to reach unserved and underserved areas and incorporate that approach into the grant processes for providers.¹¹

Explanation: Grant qualification, evaluation, and application processes can present obstacles to providers and serve as a barrier to broadband Internet expansion. To attract the largest number of applications for broadband Internet grants, and therefore increase the possibility that unserved and underserved communities will be reached, the entry hurdles need to be streamlined without sacrificing robustness. That is, every step in the process must be designed to ensure that the most qualified applicants have the possibility of receiving project funding to provide service to those communities in Florida which are the most needy. In terms of sequencing the use of grant programs, an option might be to award competitive grants for most of the state and establish a grant specifically for unserved areas within the state that have not yet received funding or any response to earlier competitive grant opportunities.

¹¹ Grant in this context, means the funding provided by the federal, state, or local government. Grant agreements take different forms including partial project funding (i.e., requiring a match) and are contracts between the granting entity and the grantee.

DEO's Office of Broadband should ensure the projects' grant applications are the best fit under the separate potential sources of funding to minimize challenges or hurdles posed with each project, as some funding opportunities will contain different constraints that may or may not readily fit within the existing project plan.

Action Steps:

- a. Develop an approach to attract multiple broadband Internet service providers as competitors for financial assistance to be used in unserved and underserved areas under state or local assistance programs.
- b. Analyze each state and federal funding stream to determine priorities for projects, restrictions on the use of funds, time limitations on the use of funds, and match requirements, along with any other stipulations.
- c. Create a plan for sequencing the use of state and federal funds that maximizes the amount of funding available to support broadband Internet projects in the least served areas of the state.
- d. Determine which of the various available competitive grant processes should be used for the purposes for which grants may be made under the state and federal program requirements.
- e. Implement specific rounds of grant cycles targeted to meet identified community needs.

Strategy 8:

Design a competitive selection process in compliance with state and federal requirements that will enable DEO to identify the most suitable Internet service provider or providers to meet the broadband Internet needs of the unserved and underserved areas of the state.

Explanation:

An approach for selecting grantees could include:

- Developing rigorous standards for business experience, financial health, and technical expertise for entities seeking funding;
- Holding competitions for funding for multiple areas and, at the same time, allowing entities seeking funding to choose which areas they would seek to serve;
- Developing well-defined obligations for funding recipients and a uniform, objective scoring method for comparing offers;
- Holding multiple rounds of offers in which competitors seek to beat the offers of others; and
- Conditioning the release of funds on the successful completion and deployment of the required broadband services.

In addition to this process, there are other competitive funding mechanisms that may be used such as a Notice of Funding Availability, Funding Opportunity Announcement, or similar instrument. Other competitive grant award processes include those based on the merit of the proposal or application, for example – an assessment of the applicant’s ability to complete specified tasks within budget and time constraints.

Some competitive processes are better than others to identify the most effective bidder for a well-known project. Other processes may be better when the area’s needs cannot be articulated. The Office of Broadband should work with LTPTs to identify which processes are best suited for individual situations.

Action Steps:

- a. Develop and implement competitive processes to identify the recipient of financial support that is best able to meet the needs of unserved and underserved areas.
- b. Ensure that the competitive grant process accommodates proposals from providers to expand broadband Internet service in multiple unserved and underserved areas, where applicable.
- c. Establish grant eligibility and scoring criteria that incorporate an assessment of whether Floridians can access networks that are comparable on such dimensions as speed, latency, reliability, and functionality.
- d. Design and use application qualification criteria to ensure that grantees can and will complete the scope of work required.

Strategy 9: In the instance where an area failed to receive competitive bids, design a negotiated provider-selection process in compliance with state and federal requirements for aspects of the broadband Internet expansion effort for which there was only a single bidder offering to deploy broadband Internet in an unserved and underserved area or for which there was no bidder.

Explanation: After funds have been allocated through the competitive grant process, there may be unserved and underserved areas for which no provider was identified. An alternative provider selection process may be required to ensure those areas are served under a broadband Internet expansion program.¹²

¹² An example is North Carolina’s Broadband Stop Gap Solutions Program, which is to be launched in late fall 2022, following awards from two other competitive grant programs. See The Broadband Stop Gap Solutions Program at NCDIT “Stop-Gap Grant.”

Action Steps:

- a. After competitive selection processes are completed, inventory those unserved areas where there was no acceptable competitive bid and that were not included in the service area of any grantee.
- b. Develop specifications for grantees to serve those areas in compliance with state and federal funding requirements.
- c. Negotiate with qualified applicants to provide services to the unserved areas.

I.7. Shortage of skilled workers may delay deployment of broadband Internet infrastructure projects

Strategy 10: Prepare the workforce for the jobs that will emerge from the deployment of federal infrastructure projects to ensure continuity of operations.

Explanation: In addition to the need for construction and installation expertise for broadband Internet infrastructure projects, there will be an ongoing need for broadband Internet infrastructure maintenance after the grant funding ends. Workforce development planning and initiatives, which is a statewide function, may be necessary to meet those needs.

Action Steps:

- a. Inventory workforce development programs that prepare the state's workforce for jobs in broadband Internet-related infrastructure construction, telecommunications technology, and consumer technology industries.
- b. Encourage workforce development agencies and educational institutions to train more students in technology-related fields and address the need for alternative and related skills to enable infrastructure installation and construction workers to transition to more stable positions.

“Unlike industries with infrastructure mostly built out, the Broadband Industry faces unique challenges due to the volume of new and upgraded infrastructure to be deployed. In many cases, Broadband Industry workers must be on-call, on the road, and face unpredictable (uneven) demand for their skills. In addition, where climate and weather limit deployment in certain seasons, affected Broadband Industry positions may have a stigma that they provide a lower level of ‘job security’ for some. Many Broadband Industry workers or potential workers might view the job security issue differently if alternative Industry career options, and upskilling and other training programs, were available during the periods when the peak demand is over.

Furthermore, many Industry positions, such as tower climbers, require working at heights. Many workers are not interested in the risk such jobs entail” (Broadband Infrastructure Deployment Job Skills and Training Opportunities Working Group, 2020, p. 10).

B. Local Role in Availability

The 2021 Act emphasizes the involvement of local and regional entities in planning for broadband Internet expansion in unserved and underserved areas of the state. The 2021 Act underscores the concept that local and regional entities are well-positioned to identify and respond to the broadband Internet needs of their residents. This approach is supported by charges to the LTPTs to “help the communities understand their current broadband availability, locate unserved and underserved businesses and residents, identify assets relevant to broadband deployment, build partnerships with broadband service providers, and identify... assets and reduce barriers to the deployment of broadband Internet services.” (§ 288.9961(4)(b), Fla. Stat.).

“The most critical aspect of this comprehensive effort is a coordinated planning effort between Local Technology Planning Teams (LTPTs) and the Florida Office of Broadband” (Florida Office of Broadband, 2022a).

Stakeholders from various industries are involved in LTPTs. Some communities focus on the involvement of a core group of large broadband Internet service users, while other communities involve all stakeholders, regardless of the scope of their needs. The rationale for the former is that a network is being developed to support all applications and broadband Internet users; therefore, it is not necessary to have every stakeholder at the table. The other perspective is that there is little downside to involving a wide range of stakeholders to ensure that all needs are considered.

I.8. Capacity for communities to effectively pursue federal and state funding opportunities to support broadband Internet expansion

Strategy 11: Continue to provide technical assistance based on community requests to assist with organizing LTPTs.

Explanation: Local entities often face challenges in assessing their broadband Internet availability, identifying unserved and underserved residents and businesses, identifying assets available to leverage federal funding, and filling out applications for federal broadband Internet funding. In addition, communities in Florida have little experience convening to pursue objectives for broadband Internet expansion. These objectives may include those community members who comprise LTPT membership: “libraries, K-12 education, colleges and universities, local health care providers, private businesses, community organizations, economic development organizations, local governments, tourism, parks and recreation, and agriculture.” (§ 288.9961(4)(b), Fla. Stat.).

The Broadband Planning Toolkit (Toolkit) provides fundamental resources and guidance using a nine-step planning process to help each LTPT identify the availability of broadband Internet services in its county or region. The Toolkit also provides a template for a community and business survey that should be updated to fit the team’s needs, circulated, collected, and provided to the Office of Broadband for statistical analysis vital to broadband Internet expansion.

In addition, LTPTs are provided with:

- Support from the Office of Broadband, including assistance with meeting facilitation and verification of speed test data.
- Contact information for other LTPTs around the state to share discussions and planning strategies.
- Links to planning resources, research, and other materials available on the Office of Broadband’s webpage. Available resources include maps, statewide survey results, the regional broadband Internet workshop summary and recordings, funding opportunities, and partnership information.
- A comprehensive broadband availability map from the NTIA.
- Guides on broadband Internet 101; Broadband planning processes; broadband planning inventories; strengths, weaknesses, opportunities, and challenges analysis; sample questions for meetings/discussions; and, community and business survey distribution practices (Florida Office of Broadband, 2022a).

The Toolkit for LTPTs names nine steps for a planning process and provides steps and a timeline for completing each one:

- Step 1 - Engage Stakeholders
- Step 2 - Assemble a Team
- Step 3 - Identify Community Priorities
- Step 4 - Harness the Data
- Step 5 - Consider Digital Inclusion
- Step 6 - Assess Resources and Infrastructure
- Step 7 - Engage Local Internet Service Providers
- Step 8 - Evaluate Solutions
- Step 9 - Develop & Execute Solutions (DEO, 2021)

The intended result from this effort is “diverse community industry sectors working together to develop measurable goals, objectives, and benchmarks that will keep Florida’s broadband adoption and expansion efforts on track at every level of government in subsequent years” (Florida Office of Broadband, 2022a).

Action Steps:

- a. Use the Toolkit and any other relevant training materials as the basis for educating and organizing LTPTs.
- b. Provide technical assistance on the use of the state’s broadband Internet availability map and other publicly available broadband Internet databases.
- c. Provide information about the strengths and weaknesses of various broadband Internet technologies so that local entities can make informed decisions about

the technologies or technology requirements that will best meet the needs of their unserved and underserved areas.

- d. Continue to implement an outreach and communication campaign to ensure that stakeholders across the state are aware of the local planning efforts underway.
- e. Continue to provide information on the Office of Broadband webpage about any technical assistance available through federal funding opportunities.
- f. Develop best practices and other resources for LTPTs to use to lower costs of providing broadband Internet service to unserved and underserved areas.
- g. Identify philanthropic organizations that could assist by providing technical assistance or funding to LTPTs or communities working to expand broadband Internet in their areas.

Strategy 12: Provide technical assistance to grant applicants that request such assistance.

Explanation: An experienced staff person or contractor with community needs assessment techniques and grant application preparation at the local government level could be engaged to provide technical assistance to ensure applicants are supported throughout the planning process.¹³

Action Steps:

- a. Determine which technical support needs can be provided either through staff or a contractor to ensure that all applicants' needs are met and that applicants are treated fairly.
- b. If technical assistance is outsourced, consider models such as those used by the Illinois and Minnesota broadband Internet offices for empowering local communities to identify unserved and underserved areas, identify needs for broadband Internet services, and assist in developing grant applications.
- c. If resources are available, provide planning grants to each local entity functioning as an LTPT. Such grants may be useful for local entities to obtain necessary technical expertise.

¹³ For example, the Benton Foundation and the Blandin Institute use the same individual to provide technical training to communities. With respect to the Benton Institute program in Illinois, 30 hours of expert consultation to facilitate community-driven broadband Internet planning is offered. The Blandin Institute similarly provides consultation to rural communities in Minnesota that are starting their planning for broadband Internet expansion. This consultation guides them through the steps in preparation for conducting a feasibility study and organizing for the subsequent steps. Communities get a 'grant' of up to 35 hours of the consultant's time (Blandin Foundation, 2022; Illinois Department of Commerce & Economic Opportunity, n.d.).

I.9. Attract providers to serve rural, low population density areas

Strategy 13: Develop an approach to increase communities' purchasing power by attracting multiple providers to deploy broadband Internet in rural, unserved, and underserved areas in those communities.

Explanation: Providing broadband Internet to low-population density rural areas may require government subsidies to offset provider costs, thus making service to rural customers commercially attractive. Individually, low-population density areas may be unable to attract interested providers due to the cost of developing proposals and high project risk relative to potential profits. However, when aggregated, they might be able to attract more than one provider. For local areas that aggregate their service needs, state contracts may be available through which to obtain the necessary services. The objective of aggregating or using state contracts would be to reduce procurement-related overhead costs to the local subdivisions and overall project costs.

This strategy may overcome two factors that might limit counties' success in engaging providers of broadband Internet service for unserved and underserved areas: 1. County-specific procurement processes that may include unique requirements related to areas where revenue potential is limited; and 2. Conducting the procurement process itself is a barrier for resource-limited rural counties.

Several rural counties have implemented procurement processes that include grants. A more expansive inventory of Florida county procurement efforts may reveal best practices that might be applicable more broadly.

Action Steps:

- a. Identify areas that are unable to attract a provider, but that when aggregated with other areas, might attract one or more providers.
- b. Encourage local communities or regions to jointly determine the technical services needed for grant management.
- c. Select a vendor or vendors that will provide services to all participating communities or regions.
- d. Catalog best practices used by counties to procure broadband Internet services, paying special attention to practices used by counties with the lowest population density.
- e. Post best practices for procurement on DEO's website and periodically update them to be used as a resource for counties to promote broadband Internet expansion.
- f. Encourage or facilitate local communities or regions' in conducting business case studies to determine the economic feasibility of providing various scalable levels of broadband internet service.

I.10. Coordinate infrastructure installation projects

Strategy 14: Encourage local communities to coordinate infrastructure projects, such as roads and broadband Internet, to reduce overall costs.

Explanation: Failure to coordinate planning for infrastructure projects could result in land or rights of way being dug up more than once when broadband Internet providers install fiber after lines and conduits have been installed as part of roadway construction projects. Such duplication of effort can be costly to the community in terms of traffic disruptions and reduced road life (Wilde et al., 2002).

Dig Once, involving coordination, has been identified by the U. S. Government Accountability Office as a means of reducing the overall cost of infrastructure installation with opportunities for joint trenching and sharing of overhead such as maintenance of traffic, staging construction activity, and restoration expenses (Fleming, 2012).

A new rule authorizes federal highway projects to permit the sharing of conduit for that purpose (Federal Highway Administration, 2021). This same rule requires the state to designate a utility coordinator with responsibility for facilitating the broadband Internet infrastructure right-of-way efforts in the state.

Action Step: Provide information about the use of “Dig Once Policies” defined in the Broadband Planning Toolkit as “the installation of accessible, buried conduits during various infrastructure projects to enable providers to affordably install fiber with ease by running it through available conduits at a later time” (DEO, 2021a, p. 25). Engage with state agencies such as the Florida Department of Transportation for best practices methods in planning infrastructure construction projects which co-locate resources, utilities, or services.

II. Adoption and Use

For broadband Internet providers to recover their investment in broadband Internet-related capital outlay over the long term, revenue streams from consumers must be adequate to offset costs. The provisions of the 2021 Act underscore the need for adoption as a means of sustaining broadband Internet services. The defined term “sustainable adoption” implies that while public financial support may be important in the short term, the end goal is for providers to be able to encourage “adoption and use levels” that allow services to be offered without government subsidies. (§ 288.9961(2)(e), Fla. Stat.).

The 2021 Act recognizes the importance of adoption of broadband Internet service by requiring the Office of Broadband to “encourage the use of broadband Internet service, especially in the rural, unserved, or underserved communities... through grant programs.” (§ 288.9961(4)(d), Fla. Stat.).

Furthermore, the Broadband Opportunity Program prioritizes the use of grant funding to spur adoption by actively promoting adoption, having wide support from the community, and providing access to broadband Internet service to the greatest number of households and businesses. (§ 288.9962(7)(a), Fla. Stat.).

ADOPTION occurs when consumers — residents or businesses — subscribe to high-speed Internet service. Digital literacy is the ability to use a variety of broadband-enabled devices for engagement in online services. Adoption and digital literacy strategies work hand in hand. The strategies for adoption involve identifying local barriers to broadband adoption and developing methods for overcoming them at the local level. These strategies also address the state facilitating, and assisting with, local efforts, including efforts to obtain funding. In addition, the strategies address methods to overcome the identified digital divide, ensure that anchor institutions obtain the broadband they need, and provide technical assistance to local communities.

It is difficult to predict the long-term availability of public subsidies supporting adoption of broadband Internet service. Large federal infusions of funding may be time limited, e.g., the emergency connectivity subsidy was extended to June 2023, but evidence shows that adoption challenges persist and may be difficult to overcome (Manlove & Whitacre, 2019a, 2019b; Perrin, 2021; Perrin & Atske, 2021; Vogels, 2021, 2021b). Therefore, organizations charged with stimulating demand for broadband Internet may need to be involved in adoption activities over the long term.

II.1. Bridging the adoption digital divide

Strategy 15: Expand policymakers’ and other stakeholders’ knowledge of ways to bridge the adoption digital divide between urban and rural communities.

“The shape of the digital divide is different in each community. Affordability, infrastructure, lack of devices or skills, and low awareness of the internet’s benefits can all be factors. To best respond to community needs, local leaders must have a complete picture of their current broadband landscape. Identifying gaps by conducting a needs assessment is the first step in creating effective solutions to close the digital divide” (De Leon & Sanchez, 2020).

Explanation: The existence of an urban-rural divide in broadband Internet availability and adoption is documented in *The Status of Broadband in Florida* report (PURC, 2022) that lays part of the foundation for this Strategic Plan.

Adoption is at the heart of Florida’s broadband Internet policies. “The sustainable adoption of broadband

Internet service is critical to the economic and business development of this state and is essential for all residents of this state, libraries, schools, colleges and universities, health care providers, and community organizations.” (§ 288.9961(1), Fla. Stat.).

Yet, the challenge of spurring broadband Internet adoption and meaningful use has persisted for decades. In some instances, availability has been a primary barrier to adoption. In other instances, the cost of connectivity and end-user devices will continue to affect some segments of the population, and, in many instances, potential customers have not seen the value of adopting broadband Internet, regardless of the price.

The mechanisms that might spur adoption are currently not yet fully understood, making it difficult to identify precisely the most effective actions at either the state or local level (Beard et al., 2022). Discussions during Office of Broadband workshops conducted in early 2021 pointed to reliability being more of a barrier than cost (DEO, 2021b). Barriers to adoption must be identified and understood to craft the appropriate public sector responses.

The use of broadband Internet services for addressing peoples’ needs with respect to job training, healthcare, education, and the workplace has been impeded by limitations with respect to end-user technology.

Action Steps:

- a. Identify gaps in broadband Internet adoption that may not be filled absent financial assistance to consumers.
- b. Identify broadband Internet adoption gaps that will persist despite there being adequate financial assistance.

- c. Identify and publicize best practices for providing information about and availability of needed financial assistance for broadband Internet adoption through cooperation with and partnerships between providers, government, and regional leaders, with emphasis on unserved and underserved communities.
- d. Cooperate with providers in studies of why some potential broadband Internet customers choose to not purchase the service for reasons other than affordability.
- e. Support LTPTs and other regional entities as they establish goals for broadband Internet adoption in their respective communities to ensure that the needs of all communities and residents within those communities are considered, including the need for appropriate end-user technology.
- f. Use relevant data from state and national sources to identify where adoption lags state averages.
- g. Utilize public speed-testing (crowdsourcing) and other techniques to identify unserved and underserved locations.

Strategy 16: Assemble and analyze information gathered by Internet Service Providers, LTPTs, and other regional entities to identify gaps in adoption. Overlay these identified areas with other state data indicating economic and community development indicators to determine potential correlation and use this analysis to better refine knowledge of gaps in adoption and meaningful use of broadband internet service.

Explanation: Whenever possible the Office should work with all relevant stakeholders to maximize usage of gathered data. Leveraging multiple sources of data will strengthen the statewide perspective of the Department. Placing particular emphasis on determining gaps in Broadband adoption and the related data source showing that gap can help identify both areas of need and potential correlations to reasons those areas remain of need.

Action Steps:

- a. Collaborate with broadband Internet providers in studies of customer use and potential customers' reasons for non-adoption.
- b. Assist LTPTs and other local and regional organizations with the designing and conducting surveys of end residents and businesses in various settings such as educational institutions, libraries, community centers, senior centers and other venues to find out more about their use of broadband Internet services.
- c. Provide technical assistance to ensure that community surveys collect sufficient demographic data to make results useful.
- d. Analyze data collected at the local level to identify statewide patterns and use findings as the basis for further training and technical assistance for LTPTs and other regional entities, including schools and libraries supporting broadband Internet adoption.

II.2. Insufficient local technical support may limit adoption of broadband Internet-supported services

Strategy 17: Prepare people for emerging information technology jobs and business opportunities and identify ways of using existing positions or volunteers to meet increased end-user needs related to adoption and use of broadband Internet services.

Explanation: This strategy is related to strategy 10: *Prepare the workforce for the jobs that will emerge from the federal infrastructure programs*. As broadband Internet becomes more available across the state, additional opportunities for business creation and expansion, as well as a growing need for skilled workers to provide end-users with technology support and to improve the use of digital content or digital literacy, may become available.

Citizens and businesses without access to technical support may need assistance in keeping software and hardware safe, secure, and up to date (e.g., updates, security patches, use of antivirus applications and VPNs, especially for education and medical applications, but also for job searches and for submitting taxes and other interactions with government agencies). The U.S. Bureau of Labor Statistics estimates published in 2021, show that there were approximately 42,000 employees in computer support technical positions in Florida. Those data also show that in many areas of Florida, especially non-metropolitan areas, employment of people in support specialist positions is below the national average (United States Bureau of Labor Statistics, 2021).

Support for end-users can come from community members who are not exclusively dedicated to computer technology support. Positions in existing businesses and organizations may be repurposed to provide assistance to residents with technology and application questions. An example is the Digital Navigator Grant Program in Illinois where Digital Navigators¹⁴ assist community organizations and residents with digital literacy skills (Illinois Department of Commerce & Economic Opportunity, n.d.).

Action Steps:

- a. Inventory workforce development programs that prepare people for jobs in information technology and consumer technology occupations.
- b. Develop programs that recognize achievements in information technology workforce and business development.
- c. Work directly with workforce development agencies and educational institutions to increase the number of technology-trained individuals in

¹⁴ “Digital navigators are trusted guides who assist community members in internet adoption and the use of computing devices. Digital navigation services include ongoing assistance with affordable internet access, device acquisition, technical skills, and application support” (NDIA, n.d.).

the workforce with a focus on workforce and training provisions related to the use of federal funds.

- d. Work with LTPTs and other local organizations to identify opportunities to develop “digital navigators” who could provide technical support to end-users.

II.3. Coordinate funding programs with components meant to address adoption and use of broadband internet service.

Strategy 18: Focus at least a portion of state-level digital equity grant administration efforts on broadband Internet education and training programs, raising awareness of broadband Internet-based applications, and providing equipment to schools, libraries, colleges and universities, healthcare providers, and community support organizations to assist with digital literacy efforts.

Explanation: The monitoring effort directed toward optimizing the use of digital literacy funds should include functions that both evaluate and track any new money coming into the state and measure effectiveness in increasing broadband Internet adoption.

In terms of digital literacy funds that are known to be available, the NTIA has made \$2.75 billion available nationwide for three Digital Equity Act Programs. Those funds are to be used to “ensure that all individuals and communities have the opportunity to acquire the same skills, technology, and capacity needed to engage in the Nation’s digital economy” (NTIA, 2022b, para. 7). For grant application purposes, state and local datasets should include demographic information that federal agencies will seek, such as the racial or ethnic characteristics of the people surveyed and residence information with which to identify whether they live in urban or rural areas.

While further guidance is forthcoming, at this time, funds available through the Digital Equity Act will be allocated as follows:

- State Digital Equity Planning Grant Program, to be used by states and territories to create digital equity plans. (Planning only).
- State Digital Equity Capacity Grant Program, to be used by states and territories for implementing digital equity projects and support for implementing digital equity plans. (Planning and Implementation).
- Digital Equity Competitive Grant Program to implement digital equity projects. (Implementation).

The Planning Grant and Capacity Grant program funds will be allocated to the states through a formula.

Action Steps:

- a. Utilize information collected by LTPTs and other local entities about the need for programs that will encourage broadband Internet service adoption and use.
- b. Encourage LTPTs and other local entities to collect and provide to the Office of Broadband datasets that can be used to identify the broadband Internet adoption needs of those who are low income, incarcerated, elderly, and veterans. In addition, such local datasets should include information about the broadband Internet adoption needs of individuals with limited English language proficiency and persons with disabilities.
- c. Work with LTPTs and regional entities to coordinate securing grants for local digital equity programs.
- d. Provide technical assistance to entities working to reduce the digital divide to help them maximize funding for their programs.
- e. Engage with state agencies to assist rural communities by waiving financial match requirements to the extent allowed by law (if a match requirement is determined to be a barrier to the local unit).
- f. Work with philanthropic organizations to encourage them to contribute funding for ongoing adoption-related efforts.
- g. Position the state to maximize funding available for adoption:
 - Identify and monitor potential public and private funding sources for broadband Internet adoption projects.
 - Establish a portfolio of documents frequently required for state and local grant applications to prepare for submissions.
 - Work with local communities and Internet service providers to identify a means of lowering the cost of broadband Internet service plans through the coordination of various support mechanisms.

II.4. Ongoing state-specific, adoption-related data collection

Strategy 19: Develop processes for the ongoing collection of data with which to identify emerging barriers to sustainable broadband Internet adoption in rural, unserved, and underserved communities.

Explanation: No ongoing data collection funding is currently provided by the state beyond the initial data/mapping that is to be completed by June 30, 2022. The U.S. Census Bureau's American Community Survey collects data on household adoption, but the data is high-level, aggregated, and collected from a small sample. The Pew Research Center also reports on broadband Internet adoption, but the reports are not state-specific. The Technology

Policy Institute, which uses all publicly available data on its website, has information about Florida.

Action Steps:

- a. Collaborate with the NTIA, FCC, and other states to analyze and collect data that identify where broadband Internet adoption is absent or inadequate, what customers find most valuable about broadband Internet services, and why potential customers are not buying broadband Internet services. This collaborative effort should include the evaluation of the performance of broadband Internet programs and subsidies that the federal government and states are creating and implementing.
- b. Implement a system for informing Floridians of opportunities to continue contributing information about their broadband Internet service and use through the Office of Broadband's website, as well as partnerships with other entities.
- c. Structure the state's data collection efforts related to broadband Internet adoption to meet the requirements of the various federal funding programs and to meet the state's need for data with which to evaluate those programs.

III. Accountability

Introduction: Accountability needs to be built into the process of developing grant programs from the beginning, along with procedures for oversight of grantees. That approach should reduce the risk of grantees not fulfilling their obligations and increase the likelihood that unserved and underserved areas will be provided with sustainable broadband Internet services on a timely basis. The need for accountability also requires mechanisms in grant agreements for imposing binding penalties for grantee non-compliance or non-performance.

Two types of accountability requirements are framed in state law, and they are intended to inform different audiences. In the first type, requirements are included expressly in statute. In the context of the 2021 Act, the Office of Broadband is responsible for keeping the Governor, the Legislature, and the public informed about activities undertaken pursuant to the 2021 Act. (§ 288.9962(10), Fla. Stat.).

The second type of accountability applies to grantees and may be established in a state agency's rules and/or grant development procedures. In the context of the 2021 Act, DEO is to promulgate rules and address accountability in grant agreements, including conditions of performance and mechanisms for imposing binding penalties for grantee noncompliance or nonperformance. In addition, federal funding programs for broadband

Internet expansion, adoption, and related work may come with additional accountability requirements.

III.1. Appropriate capacity to ensure that the state's broadband Internet goals are met by grant recipients

Strategy 20: Develop robust contracts and funding requirements that ensure grant recipients have clear, measurable service commitments to promote accountability.

Explanation: Clear, measurable commitments will ensure accountability and transparency in the spending of public funds and through the contracting process between the state and other entities. Confirming accountability is a foundational component of planning and implementing a rigorous program that will benefit the citizens and communities of Florida as that accountability sets grantees up for successful sustainable projects.

Action Steps:

- a. Determine which accountability mechanisms and requirements are best suited to being disseminated as agency rules and which are best suited for inclusion in grant agreements, and develop rules and contracts/grant agreements accordingly.
- b. Develop and utilize grant funding agreement instruments that include provisions for recipients, providing specific and verifiable data needed to ensure that they are meeting their commitments.
- c. Establish grant criteria that include deadlines for the installation of infrastructure to ensure that customers have a usable service within time limits established by law.
- d. Incorporate incentives for recipients to fulfill their commitments, including commitments to provide required data. For example, receipt of funding could be conditioned upon fulfillment of commitments. Alternatively, in situations where funding is provided before performance, impose binding financial penalties for failure to fulfill the requirement.
- e. Ensure that grant criteria recognizes and rewards collaboration at the local level that will spur economic and workforce development, job creation, and overall quality of life for residents and visitors.

Strategy 21: Make receipt of funding contingent upon fulfilling reporting requirements and commitments.

Explanation: To determine whether grant funding programs have achieved the articulated goals, absent independent sources of information, the grant development administration

processes must include a means of obtaining the necessary data. That is to say, accountability for the use of public funds must be built into the process from the beginning. Potential grantees must be vetted through a rigorous review process to ensure that, if selected, the awardee will have the capacity to complete the project on time and within budget.

Grant applications should include sufficiently detailed data, aggregated and anonymized appropriately, that is useful for the Office of Broadband's planning efforts as well as for evaluation of the service area proposed for the funded project. The funding application scoring system must include weighting factors that will result in selection of grantees most likely to achieve the specific program goals. The Office of Broadband must have sufficient contract management expertise to monitor providers' progress toward fulfillment of grant requirements during and upon completion of projects. Such monitoring needs include field verification of work in progress and upon completion. Agreements need to include provisions for regular reporting to the Office of Broadband of data necessary to track project progress and evaluate the extent to which identified goals are met as a result of the project.

Action Steps:

- a. Base grant funding on accomplishment of measurable objectives within a specified timeframe, such as the number of households able to adopt service by the end of 2023, the number that do adopt service, and the quality of the service at the time of adoption.
- b. Monitor grant recipient performance against those objectives.

III.2. State-level coordination among state agencies using federal funds for broadband Internet expansion activities.

Strategy 22: Enhance state-level capacity to implement broadband Internet expansion and adoption through program governance and agency structure.

Explanation: Federal and state funds for broadband Internet expansion are or will become available to the private sector, several state agencies, and counties, cities, and anchor institutions. The existence of a variety of funding streams raises the risk of a lack of coordination in optimizing the use of these funds. With such a critical component of community development, any risk of a lack of coordination can prove inefficient.

Action Steps:

- a. With DEO as lead, establish routine communication between DEO and representatives from the Florida Department of Education, Florida Department of Transportation, Florida Department of State, Florida

Department of Management Services, Florida Public Service Commission, Florida Department of Health, Florida Department of Children and Families, Florida Department of Environmental Protection, Florida Department of Agriculture and Consumer Services, Florida's REACH Office, and other state agencies involved with developing state infrastructure or applications that rely upon broadband Internet technology. The 2021 Act directs DEO to "work collaboratively with private businesses and receive staffing support and other resources from Enterprise Florida," among other entities. (§ 288.9961(3), Fla. Stat.).

- b. Clearly identify roles for all agencies involved in the expansion and adoption of broadband Internet as well as the program(s) within each agency that have overlapping interests regarding broadband Internet, including what data sharing should be regularly conducted.
- c. Share ideas about how to best enable Floridians in rural areas to make use of broadband Internet applications such as telemedicine, e-learning, and telework as well as broadband Internet related funding opportunities.
- d. Encourage the other agencies to engage with and/or advise the Office of Broadband on key decisions and activities within their purview, including public investments and project prioritization, that directly or indirectly impact broadband Internet services.
- e. Conduct an annual meeting with ISPs, LTPTs, and stakeholders to examine and gain perspectives on the state's progress toward expanding sustainable adoption in unserved and underserved areas.
- f. Share information with the Office of Broadband on federal programs that may inform or affect its activities.
- g. Jointly monitor relevant federal proceedings.

Strategy 23: Ensure state programmatic framework considers and adapts from other recent programs to avoid pitfalls and achieve efficiency in state program effectiveness.

Explanation: Federal and state funds for broadband Internet expansion have been utilized across the country (and world) under various broadband Internet-related programs. These programs have had many different methods to achieve the same underlying purpose: enhance availability and use of broadband Internet services. Over time, some methods of programs have appeared to have achieved more effective results. See Appendix F, Literature Review, particularly in Section VI, Programs to Increase Broadband Access, for further detailed information and study. Different market conditions play a role in the effectiveness of a broadband Internet program, and many of these conditions operate as barriers to entry. As Florida enhances the state broadband program(s), it is critical the state does so with deliberate planning and intentional goals to maximize the effectiveness of the grant programs as a whole and ensure these program efforts are undertaken accountably.

Action Steps:

- a. Actively weigh program methodology options such as Facilities-Based Competition¹⁵ versus Services-Based Competition¹⁶ or Municipal Provision,¹⁷ particularly under the circumstances where studies and programs have demonstrated the conditions under which Facilities-Based Competition far outperforms Services-Based Competition for effectiveness in providing new broadband Internet availability and use.
- b. In public rulemaking, seek public input on these different methodologies.
- c. With the LTPT, promote discussion and research of these different methodologies.
- d. Continue to monitor relevant federal and other state programs' implementation and successes.
- e. Actively build upon this Strategic Plan and the legislatively-required biennial updates with any new studies, program successes, program pitfalls, or known aspects of effectiveness, to continue to advance broadband Internet in the state of Florida.

¹⁵ The term facilities-based (or infrastructure-based, or inter-platform) competition is used in the telecommunications industry to describe competition between providers of the same or similar services where the service is delivered by different or proprietary means or network.

¹⁶ Service-based (or intra-platform) competition refers to when new entrants compete with incumbents by leasing facilities such as local access networks from incumbents.

¹⁷ Municipal broadband Internet provision is broadband Internet access provided by local governments.

Glossary

2021 Act: See the Glossary entry for Florida Broadband Deployment Act of 2021.

Adoption: The subscription of consumers — residents or businesses — to high-speed Internet service.

Anchor institutions or community anchor institutions: Schools, libraries, medical and healthcare providers, public safety entities, institutes of higher education, and other community support organizations that provide outreach, access, equipment, and support services to facilitate greater use of broadband Internet service by the entire population and local governments (National Telecommunications and Information Administration [NTIA], 2022).

Availability: Whether or not an internet connection point exists and in what manner. A precondition for connecting to the Internet, but the availability of a connection alone does not guarantee Internet use, nor sufficiency of the internet available.

Broadband: High-speed Internet access.

Broadband Internet service (sometimes referred to as “broadband service”): A service that offers a connection to the Internet with a capacity for transmission at a consistent speed of at least 25 megabits per second downstream and 3 megabits per second upstream. (§ 288.9961(2)(a), Fla. Stat. and § 288.9963(2)(b), Fla. Stat.).

Broadband speeds: Speeds expressed with two numbers separated by a diagonal line “/” and a designation of the amount of data, such as “100/20 Mbps.” The first number represents the amount of data users receive (download), and the second number represents the amount of data users can send (upload).

Mbps: Megabits per second refers to millions of bits of binary information—zeros and ones—that are passed in a second.

Gbps: Gigabits per second refers to the number of bits in billions.

Crowdsourcing: The online collection of data. In this document, specifically Internet speed data.

Digital divide: The gap between people who have access to broadband services, have adopted it, and know how to use digital content (digital literacy) and those who do not.

Digital equity: The condition in which individuals and communities have the information technology capacity needed for full participation in the society and economy of the United States (Infrastructure Investment and Jobs Act, Title III, Digital Equity Act of 2021).

Digital literacy: The ability to use a variety of broadband Internet-enabled devices to engage in online services. One formal definition is “[t]he ability to leverage current technologies, such as smartphones and laptops, and Internet access to perform research, create content and interact with the world” (NTIA, 2016, p. 5).

Download: To copy (data) from one computer system to another, typically over the Internet.

Florida Broadband Deployment Act of 2021 “2021 Act”: Ch. 24, 2021 Fla. Laws, codified at §§ 288.9961-288.9963, Fla. Stat.

Funding Opportunity Announcement: A document used by federal agencies to announce the availability of grant funds to the public.

Gbps: Gigabits per second refers to the number of bits in billions.

Grant: The funding provided by the federal, state, or local government. Grant agreements take different forms, including partial project funding (i.e., requiring a match), and are contracts between the granting entity and the grantee.

Last Mile: The final leg of a network that provides service to the home, business, or community institution.

Local Technology Planning Team: Local teams built and facilitated by the Office of Broadband and composed of members representing cross-sections of the communities in which they are formed. Local Technology Planning Teams (LTPTs) work with rural communities to help them understand their current broadband Internet availability, locate unserved and underserved businesses and residents, identify assets relevant to broadband Internet deployment, build partnerships with broadband Internet service providers, and identify opportunities to leverage assets and reduce barriers to the deployment of broadband Internet service in the community. LTPTs must be proactive in fiscally constrained counties in identifying and providing assistance with applying for federal grants for broadband Internet service.

Middle Mile: The middle mile is the physical mid-section of the infrastructure required to enable internet connectivity for homes, businesses, and community institutions. The middle mile is made up of high-capacity fiber lines that carry large amounts of data at high speeds over long distances between local networks and global internet networks.

Mbps: Megabits per second refers to millions of bits of binary information — zeros and ones — that are passed in a second.

Notice of Funding Availability: Also referred to as a Notice of Funding Opportunity (NOFO), is the document used by federal agencies to announce the availability of grant funds to the public.

Office of Broadband: The Florida Office of Broadband established within the Division of Community Development in the Department of Economic Opportunity in 2020. (§ 288.9961(4), Fla. Stat.).

Premises Passed: the number of end user locations, residential homes or otherwise, passed when installing fiber technology.

Request for Quotes: An oral, electronic, or written request for written pricing or services information from a state term contract vendor for commodities or contractual services available on a state term contract from that vendor. (§ 287.012(24), Fla. Stat.).

Request for Proposal (RFP): A written or electronically posted solicitation for competitive sealed proposals. (§ 287.012(23), Fla. Stat.).

Sustainable adoption: The ability for communications service providers to offer broadband Internet services in all areas of this state by encouraging adoption and use levels that allow for these services to be offered in the free market absent the need for governmental subsidy. (§ 288.9961(2)(e), Fla. Stat.).

Underserved: A geographic area of this state in which there is no provider of broadband Internet service that offers a connection to the Internet with a capacity for transmission at a consistent speed of at least 100 megabits per second downstream and at least 10 megabits per second upstream. (§ 288.9961(2)(f), Fla. Stat.).

Unserved: 1. A geographic area of Florida in which there is no provider of broadband Internet service. (§ 288.9961(2)(g), Fla. Stat.); or 2. In the context of Attachment of Broadband Facilities to municipal electric poles, no retail access to the Internet at speeds of at least 10 megabits per second for downloading and 1 megabit per second for uploading. (§ 288.9963(e), Fla. Stat.).

Upload: To transfer (data) from one computer to another, typically over to one that is larger or remote from the user or functioning as a server.

Acronyms, Abbreviations, and Initialisms

ADSL – Asymmetric Digital Subscriber Line

BEAD – Broadband Equity, Access, and Deployment

BIP – Broadband Initiatives Program

BTOP – Broadband Technology Opportunities Program

CAF – Connect America Fund

CBRS – Citizens Broadband Radio Service

CLEC – Competitive Local Exchange Carriers

CPF – Capital Projects Fund

CTC – Community Technology Centers

DBO – Design-Build-Own

DEO – Department of Economic Opportunity

DOCSIS – Data Over Cable Service Interface Specifications

DSL – Digital Subscriber Line

FCC – Federal Communications Commission

Gbps – Gigabits per second

HFC – Hybrid Fiber-Coax

IIJA – Infrastructure Investment and Jobs Act

IOU – Investor-owned utility

ISP – Internet service provider

LTPT – Local Technology Planning Team

Mbps – Megabits per second

NTIA – National Telecommunications and Information Administration

PCC – Public Computer Centers

PSC – Florida Public Service Commission

PURC – Public Utility Research Center in the Warrington College of Business of the University of Florida

RAO – Rural Areas of Opportunity

RDOF – Rural Digital Opportunity Fund

REC – Rural electric cooperative

RFP – Request for Proposal

WISP – Wireless Internet Service Provider

DRAFT

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Appendices

A. Areas for Further Research and Exploration

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 - b. Barriers to Provider Entry
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 - d. Municipal Provision
 - e. Public-Private Partnerships
 - f. E-Rate Program (established in 1996)

- g. Public Computing Centers
- VII. Programs to Increase Broadband Adoption
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- VIII. Rural Access and Adoption
- IX. Supply-Side Factors that Affect and May Increase Broadband Adoption
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G. Federal and State Funds Available for Broadband Expansion and Support

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Appendix A

Areas for Further Research and Exploration

PURC identified two policy topics that may impact the implementation of this Strategic Plan and achievement of the goals of the Broadband Deployment Act of 2021 (“2021 Act”; Ch. 24, 2021 Fla. Laws, codified at §§ 288.9961-288.9963, Fla. Stat), but for which further research is needed. Analysis of the impact of existing policies and potential policy changes will be required to ascertain whether Florida law in these should be changed to support efforts undertaken to implement the 2021 Act. Those policy areas are:

- I. Pole Attachments
- II. Suggested Further Action For Pole Attachments
- III. Municipal Broadband Internet
- IV. Suggested Further Action For Municipal Broadband Internet

Each is discussed briefly in the sections that follow.

I. Pole Attachments

Pole attachment prices. Florida Statutes provide that “a broadband provider shall receive a promotional rate of \$1 per wireline attachment per pole per year for any new attachment necessary to make broadband service available to an unserved or underserved end user within a municipal electric utility service territory for the time period specified in this subsection.” (§ 288.9963(3), Fla. Stat. (2021)). Otherwise, municipal utility pole attachment prices are unregulated in Florida, except by their city boards or other governmental bodies. Pole attachment prices for rural electric co-ops are also unregulated, except by their co-op boards.

Regarding prices charged for pole attachments, the questions for policymakers are:

- What do research findings suggest with respect to the impact of unregulated pole attachment prices on broadband Internet deployment?
- What does research suggest about the impact of the regulatory framework on such prices?

Mode of regulation. In response to the first question, there appear to be no studies finding a statistically significant connection between unregulated pole attachment prices and rural broadband deployment, and there appears to be no research on whether such prices create barriers to entry. At the time of writing, the rural co-ops themselves do not appear to be developing broadband businesses, and existing pole attachment rates will be a cost for broadband providers to do business. Furthermore, as is described in the next section titled “Municipal Broadband,” municipalities are only rarely involved in providing broadband services in Florida. As such, the attachment prices will be included in the amount of subsidy providers demand for deploying services in rural areas.

In response to the second question, broadband providers bear certain costs for attaching broadband equipment to existing poles, and those costs are passed on to their retail customers. The hypothesis here is that the cost to customers may be affected by the mode of regulation. Utilities are regulated in different manners depending on whether they are investor-owned utilities (IOUs), co-ops, or municipal utilities. The IOUs are rate regulated in Florida by the Florida Public Service Commission (PSC), rural electric cooperatives (RECs) are rate regulated by their boards, and municipal utilities are rate regulated by their respective city commissions.

At least one study appeared to find a difference in the impact depending upon type of regulation. Connolly (2019) found that prices paid to IOUs are about 56 percent lower than prices paid to co-ops and about 54 percent lower than prices paid to municipally owned electric utilities on a nationwide basis. Connolly found that co-op pole attachment prices are about 31 percent lower in states that regulate the prices. Connolly also found the average price difference between co-ops and IOUs is about 60 percent in Florida. If this nationwide difference, on a percent average basis, were applied to Florida, co-op pole attachment prices would be about \$6.30 per pole per year lower than the \$20.64 price Connolly found for Florida co-ops.

Connolly (2019) is but one study, however, so one cannot draw any definitive conclusion that the type of rate regulation, as it applies to broadband equipment attachment on existing poles, affects rates paid by retail customers. Connolly falls short of estimating effects on broadband deployment or retail broadband prices.

In some instances, broadband providers have struggled to obtain clear information from rural electric co-ops on pole availability. The challenge is more about the processes of obtaining the information and not a lack of cooperation from the co-ops. Broadband Internet providers appeared to be unaware that the PSC gathers extensive information on poles as part of its work on storm hardening and storm preparedness.

II. Suggested Further Action For Pole Attachments

Monitor availability and prices of pole attachments for broadband deployment.

1. Work with the PSC to make available to broadband Internet providers information on utility poles that the PSC collects as part of its storm hardening and storm preparedness processes.
2. Monitor pole attachment prices charged by municipalities and RECs and, if the prices appear to rise faster than prices for IOUs, or if the municipal or REC prices appear to result in less competition for broadband financial support in municipally-served or coop-served rural areas relative to IOU-served rural areas, conduct an analysis on the effects on broadband and identify appropriate policy responses.
3. Monitor pole attachment progress to determine whether pole replacement costs are hindering broadband development.

Florida pole replacement legislation. It is worth noting that the issue of pole replacement costs was considered by, but did not pass, the 2022 Florida Legislature in the form of SB 1800. If passed, the bill would have created the Broadband Pole Replacement Program to be administered by DEO's Office of Broadband. The program would provide reimbursement to eligible broadband Internet providers for costs they incur when removing and replacing utility poles in unserved areas. The bill would have taken effect July 1, 2022 (The Professional Staff of the Committee on Appropriations, 2022). The *Bill Analysis and Fiscal Impact Statement* contains a summary of the issues and background including information about current pole replacement laws in Florida and the federal broadband Internet infrastructure funds. That document is accessible from the Florida Senate website.

III. Municipal Broadband

PURC Discussion: Florida Statutes effectively prohibit municipalities from providing broadband services unless a private provider is unwilling to serve the area in question. (§§ 125.421, 166.047, 196.012, 199.183, 212.08, and 350.81, Fla. Stat.). As a result, municipalities are rarely involved in providing broadband Internet services in Florida. There are important reasons for restricting a government from competing against private businesses, but some evidence suggests that different restriction policies might improve broadband Internet adoption.

The research findings below suggest that municipal provision of broadband can have positive impacts in terms of increased broadband adoption, but also that municipal broadband is rarely financially viable and that governments distort markets when they are owners of competitive telecommunications providers. These findings imply that competitive safeguards may be needed to ensure that the net effects of the municipal provision of broadband would be positive.

Broadband coverage. Whitacre and Gallardo (2020) studied the effects of state laws restricting municipal broadband. They found that states with such restrictions have lower broadband penetration. They estimated that a county in a state with such restrictions and with a broadband penetration rate of 71.5 percent could increase its penetration rate to 74.7 percent if the restrictions were removed.

Broadband provider competition. An improvement in penetration, as found in Whitacre and Gallardo (2020), would not be without costs. Hauge et al. (2008) and Hauge et al. (2009) examined municipal provision of telecommunications, only some of which was broadband¹. These studies

The economics and provisioning of non-broadband telecommunications and broadband telecommunications to make the results applicable. The primary technical difference between traditional telecommunications and broadband is that the traditional service was circuit switched whereas broadband is packet switched. Circuit switching means that when a communication channel is opened for use by a subscriber, that channel remains in the exclusive use for that subscriber's call until the subscriber disconnects the call. With packet switching, the subscriber is given capacity for communication only as needed. Otherwise, the two modes of electronic communications share the same needs for

found that municipalities provided telecommunications services primarily in areas where low population density or other economic factors make it difficult for more than one private provider to offer service. They also found that in instances where two or more private providers could economically provide service, a municipal provider providing service replaces one of the potential private providers in the market.

Broadband project financial viability. Yoo and Pfenninger (2017) and Yoo et al. (2022) examined every municipal fiber optic project they could locate in the United States from 2010 through 2019. They found 88 projects, but only 20 reported sufficient information to assess financial performance. Yoo and Pfenninger restricted their analyses to those 20 projects. The study found that it was rare for a municipal fiber project that reports financial results to be cash positive. Indeed, the 2022 study found no projects that would remain financially viable without obtaining additional funding or debt relief, and nearly 90 percent were not generating enough cash to achieve long-run solvency.

Yoo and Pfenninger (2017) and Yoo et al. (2022) identified instances where cities choose to give preferential treatment to benefit their own broadband providers through the use of subsidies. Governments have other ways to take advantage of their own enterprises relative to privately-owned rivals. For example, Edwards and Waverman (2006) found that European telecommunications regulations favored service providers in which the governments had at least partial ownership.

Finally, Yoo and Pfenninger (2017) and Yoo et al. (2022) provided a possible explanation for the Whitacre and Gallardo (2020) results, namely that the municipalities in the Whitacre and Gallardo study were effectively subsidizing broadband development (which is contrary to the 2021 Act's intent for "sustainable adoption"). This could result in increased penetration, although not necessarily because government-owned businesses do not respond in the same ways as private businesses to financial incentives that would normally lead businesses to expand output if their production costs are subsidized (Brevitz et al., 2011).

IV. Suggested Further Action For Municipal Broadband

Monitor broadband development across the state and identify the locations of unserved rural areas that persist even with financial support provided under state and federal subsidy programs.

Competitive safeguards might be considered in the future, such as accounting separations. Based on the Yoo and Pfenninger (2017) and Yoo et al. (2022) findings of poor financial performance, accounting separations could help ensure that the municipal providers are not receiving anti-competitive subsidies. Then, based on the Edwards and Waverman's (2006) findings that government owners sometimes act on incentives to discriminate against rivals, competitive safeguards might include requirements for equal access to essential resources and greater

rights of way, poles, and conduit, permitting, facility construction, etc., and have network effects and connectivity challenges.

transparency in permitting. Accounting separations might be similar to those imposed by the PSC on IOUs that enter nonutility lines of business (PSC, 2004). Equal access and transparency requirements were imposed by the FCC and state telecommunications regulators on incumbent local telephone companies under the Telecommunications Act of 1996 to safeguard competition (Jamison & Sichter, 2010).

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Appendix B

Strengths and Weaknesses of Various Technologies

Broadband Technologies

The term “broadband” contrasts with “narrowband” communications service (e.g., lower speed dial-up connections over copper telephone lines using modems).¹ Consumers now associate broadband Internet connection with the “always on” high-speed Internet connections available using various telecommunications technologies, which continue to evolve and advance.

Broadband Internet connections are provided over wired (fiber optic cable or copper wire) or wireless (radio spectrum) transmission media. These wired or wireless technologies are used for “last mile” connections of the customer’s premise (home or business) to the first point of aggregation for the Internet (i.e., the telephone company or cable TV company switch). In addition, the customer will have inside wiring and Wi-Fi equipment on the premise to connect computers and other devices — the configuration of which will also affect transmission speed and performance.²

Digital Subscriber Line (DSL)

DSL is provided over traditional telephone (copper) lines with added electronic equipment at each end of the line (DSLAM at the telephone company switch and DSL Modem at the customer premise). The availability of DSL service is limited by distance from the telephone company’s central office — availability and speed depend on how far away the premise is from the central office or remote terminal. The signal reduces as distance increases, resulting in slower speeds. In general, DSL is not available beyond 18,000 feet.

DSL is becoming obsolete in the United States. For example, AT&T stopped accepting new orders for traditional DSL in 2020 and is phasing out traditional DSL service in favor of AT&T Fiber services.³ Verizon is also phasing out the copper network that supported DSL where it has deployed its FiOS fiber optic network. However, DSL technologies are still common in rural areas and fiber-to-the-node versions of DSL (for example, AT&T’s Internet Protocol Broadband (IPBB) are being offered.

¹ Note that there are other technical differences between broadband and narrowband. See, “Narrowband vs. Broadband: Terms Explained;” <https://rockymtnruby.com/narrowband-vs-broadband/> Last Updated: March 11, 2022.

² See for example, Understanding Internet Speeds, AT&T: <https://www.att.com/support/article/dsl-high-speed/KM1010095/>.

³ Pegoraro, R. (October 3, 2020). AT&T shelving DSL may leave hundreds of thousands hanging by a phone line. *USA Today*. Also see “AT&T no longer offers DSL service.” <https://www.att.com/internet/dsl/>.

Asymmetric DSL

Asymmetric DSL means the download and upload speeds are not the same. Thus, they are “asymmetric.” Download speeds range from 5 to 35 Mbps while uploads range from 1 to 10 Mbps.⁴

Other DSL Types

Other types of DSL service have evolved which offer greater speeds than ADSL. These types include ADSL2+, VDSL2, and G.Fast and are delivered using hybrid fiber optic/copper wire facilities. AT&T uses these technologies for its IPBB offering with “expected speeds” up to 100/20 and 500/100 Mbps.⁵

I. Cable Modem

Cable TV programming was originally delivered over coaxial cable which is a solid copper wire surrounded by insulating materials. Using successive generations of DOCSIS standards⁶, cable TV companies modified their networks by adding fiber optic cable to an optical node and then using existing coaxial cable for the remaining distance to provide high-speed Internet cable modem service. This network architecture is known as a hybrid fiber-coax network (HFC).⁷ “HFC networks are predominantly fiber The remaining portion of the HFC network is coaxial cable. The coaxial network is connected to the optical fiber network at a ‘fiber node,’ where the (fiber) optical signals are converted to radio frequency electrical signals for transmission over the coaxial network to the subscriber’s home.”⁸

- **DOCSIS 3.0** supports maximum download speeds of 1 Gbps and 100 Mbps upload.
- **DOCSIS 3.1** supports maximum download speeds of 10 Gbps and maximum upload speeds of 2 Gbps.⁹ DOCSIS 3.1 is widely deployed but “real-world implementations of DOCSIS 3.1 often max out at 940 Mbps down and 35 Mbps up.”¹⁰
- **DOCSIS 4.0** when deployed will provide the capability for symmetrical multigigabit broadband service.¹¹

⁴ DSL vs. Cable vs. Fiber: Which Internet Option is the Best? <https://broadbandnow.com/guides/dsl-vs-cable-vs-fiber> Last Updated: March 14, 2022.

⁵ Understanding Internet Speeds. <https://www.att.com/support/article/dsl-high-speed/KM1010095/>.

⁶ Data over Cable Service Interface Specifications or DOCSIS as maintained by CableLabs.

⁷ Hybrid Fiber-Coaxial Networks, CableLabs. <https://www.cablelabs.com/hfc-networks>.

⁸ A “101” on DOCSIS Technology: The Heart of Cable Broadband, CableLabs. October 14, 2020. <https://www.cablelabs.com/blog/a-101-on-docsis-technology-the-heart-of-cable-broadband>.

⁹ DOCSIS 3.0 vs. 3.1: What’s the difference between the two cable modems? By David Anders, CNET, December 16, 2021.

¹⁰ CableLabs sticks a fork into DOCSIS 4.0 specification, by Mike Robuck, Fierce Telecom, March 26, 2020. <https://www.fiercetelecom.com/telecom/cablelabs-sticks-a-fork-into-docsis-4-0-specification>

¹¹ A “101” on DOCSIS Technology: The Heart of Cable Broadband, CableLabs.

II. Fiber Optic Cable/Fiber to the Home

Fiber optic cable contains at its center a very thin ultra-pure glass strand about the thickness of human hair over which data is transmitted using light sent by laser electronics.¹² These strands are bundled into multi-fiber cables of various sizes (e.g., 288 fibers). Broadband speeds vary depending on several factors, including the optical networking gear used and how the service provider configures the service. Fiber has the capability to provide very high speeds which are symmetrical. For example, AT&T Fiber offers symmetrical speed tiers ranging from 5 Mbps to 5 Gbps.¹³ Also, Frontier recently announced a network-wide launch of 2 Gig fiber service.¹⁴ Fiber is also the most expensive broadband Internet technology to deploy since it uses dedicated fiber optic cable to each premise served.

III. Wireless/Radio Frequency (RF) Technology

There is a common misperception that “wireless service” means it is wireless all the way from the user’s smartphone to the other end of the communication, whether a voice call to another person, browsing a website, or streaming video. This is not the case. The wireless portion of the communication is typically relatively short, from the smartphone to the antenna, which is supporting the communication (either a “5G” small cell antenna on a pole or streetlight, a “4G” antenna on a taller tower, a fixed wireless receiver on a premise, or a Wi-Fi connection). The rest of the data transmission from the antenna or Wi-Fi connection occurs over the landline network, typically via fiber.

Radio spectrum in the United States is allocated and assigned by the FCC among specific uses and users, including mobile wireless, fixed wireless, and satellite services.

IV. Fixed Wireless

Fixed wireless access provides broadband Internet connection between two stationary points using radio signals, such as from a building or tower (access point) to a receiver located at the customer premise. The tower is typically connected to the Internet via fiber optic lines. Fixed wireless services depend on a line of sight between the tower and receiver with a range of up to 10 miles. Connectivity is a function of physics where lower frequencies can penetrate objects or clutter and other designs can go around corners or obstructions.¹⁵

¹² Frontier Communications. <https://blog.frontier.com/2021/01/what-is-fiber-optic-internet/>.

¹³ How it Works – Optical Fiber, Corning Glass <https://www.corning.com/worldwide/en/innovation/the-glass-age/science-of-glass/how-it-works-optical-fiber.html>. Also see, Understanding Internet Speeds. <https://www.att.com/support/article/dsl-high-speed/KM1010095/>.

¹⁴ Frontier heavily promotes network-wide 2 Gig fiber service launch, by Matt Vincent, Broadband Technology Report. February 22, 2022. <https://www.broadbandtechreport.com/fiber/article/14234391/frontier-trumpets-networkwide-2gig-fiber-service>

¹⁵ Fixed Wireless Access Solutions: Tomorrow’s Internet Today, page 7, WISPA.org, 2022.

Citizens Broadband Radio Service (CBRS) refers to a spectrum recently authorized by the FCC for shared use including general use on an unlicensed basis.¹⁶ CBRS can be used to deliver fixed wireless access and is expected to outperform Wi-Fi for in-building use. It is also anticipated that CBRS will be used to extend 5G wireless service.

Fixed wireless service is provided by Wireless Internet Service Providers (WISPs), predominantly serving rural markets.

V. Mobile Wireless

5G is the fifth generation of mobile wireless technology driving evolution of the wireless communications technology platform. First generation, 2G and 3G wireless service was provided beginning in the 1980s and 1990s using large towers, and 4G was characterized by the development of “apps” that needed sustained reliable connectivity, which in turn drove antenna densification, while 5G relies upon even more closely spaced, small antennas. 5G uses low-power transmitters with coverage radius of approximately 400 feet. 5G thus requires closer spacing of antennas and more of them. Small cells bring the network “closer” to wireless service users to deliver increased data capacity, faster connectivity speeds, and an overall better wireless service.

5G networks operate on frequencies in three bands¹⁷ using millimeter wavelengths — the highest of which is anticipated to offer download/upload speeds of 1 Gbps. The actual speed and range the consumer receives depends on a variety of factors, including what frequency is being used by the service provider: low-band, mid-band, or high-band. There are tradeoffs among the different bands, between speed and distance/coverage. General observations:

- Low-band frequencies work well across long distances and in rural areas; speeds are greater than 4G but slower than other 5G frequencies.
- Mid-band frequencies are currently sought after since they permit greater speeds while covering relatively large areas.
- High-band frequencies provide the fastest speeds but in more limited circumstances, such as close to the antenna and in areas without physical obstructions (i.e., windows, buildings, walls). Thus, high band will work well in dense areas where antennas can be placed every few hundred feet. This spectrum delivers the high speeds that are commonly associated with 5G.
- 5G networking will be a combination of low, mid, and high-band frequencies.
- Using 5G service requires using a 5G-ready device.

¹⁶ What is CBRS? By Linda Hardesty, Fierce Wireless June 23, 2020. <https://www.fiercewireless.com/private-wireless/what-cbrs>

¹⁷ When is 5G coming to you? The definitive guide to the 5G network rollout, by Tom’s Guide Staff, April 29, 2021. <https://www.tomsguide.com/special-report/when-is-5g-coming-to-you-the-definitive-guide-to-the-5g-network-rollout>

VI. Satellite Connections

Satellite technology provides near ubiquitous geographic coverage for the United States. Satellite Internet has vastly improved from its inception in the 1990s; however, it has been viewed as a solution primarily for rural and underserved areas. Like other Internet services using radio spectrum, satellite Internet service is affected by line-of-sight considerations such that trees and mountains interfere with access as does weather conditions such as rain or snow.¹⁸

Satellites in “**high earth orbit**” are 22,230 miles high. This distance creates the highest latency across all technology types according to measurements by the FCC (628 ms).¹⁹ Satellites launched by HughesNet and ViaSat can offer speeds up to 25 Mbps or greater, with speeds up to 100 Mbps promised for coming years.²⁰ While satellite coverage is ubiquitous, the adoption rate for 10/1 service is 1 percent (residential subscriptions divided by deployed households).²¹

“**Low earth orbit**” satellites “circle the planet at only around 300 miles above the surface. The shortened distance can drastically improve the Internet speeds while also reducing latency.”²² Starlink can deliver up to 150 Mbps Internet service.²³ Amazon also plans deployment of satellite Internet service (“Project Kuiper”).²⁴

VII. Broadband Performance Metrics and Benchmarks

The typical consumer considers performance of broadband transmission media measured primarily by speed (upload and download) and latency (duration of the end to end “round trip” communication).

¹⁸ See for example, “HughesNet is available coast to coast in the U.S. All you need is a clear view of the southern sky.” <https://internet.hughesnet.com/order-online/product-selection/>. Also, “Viasat Internet is available in all 50 states and covers much of the U.S. population in remote and rural areas where other internet companies offer slower service, or no service at all.” <https://www.viasat.com/satellite-internet/faq/>

¹⁹ *Id.*

²⁰ Satellite Internet in the USA, by Tyler Cooper, BroadbandNow. October 26, 2021. <https://broadbandnow.com/Satellite>

²¹ Fourteenth Broadband Deployment Report; In the Matter of Inquiry Concerning Deployment of Advanced Telecommunications Capability to All Americans in a Reasonable and Timely Fashion; GN Docket No. 20-269; Before the Federal Communications Commission, FCC 21-18, Released January 19, 2021, at footnote 121. (The “Fourteenth Broadband Deployment Report”). <https://www.fcc.gov/reports-research/reports/broadband-progress-reports/fourteenth-broadband-deployment-report>

²² “What is Starlink? SpaceX’s Much-Hyped Satellite Internet Service Explained, by Michael Kan, February 10, 2022. PC Magazine. <https://www.pcmag.com/how-to/what-is-starlink-spacex-satellite-internet-service-explained>

²³ *Id.*

²⁴ Amazon Sets the Stage for Five Years of Project Kuiper Satellite Internet Launches, by Ry Christ, CNET. April 5, 2022. <https://www.cnet.com/news/amazon-sets-the-stage-for-five-years-of-project-kuiper-satellite-internet-launches/>

Speeds are measured in Megabits per second or “Mbps.” One Mbps represents the capacity to transmit 1 million bits of data each second. Download and upload speeds are measured separately. Important speed thresholds affecting infrastructure funding:

- The **FCC threshold** for “broadband service” is 25 Mbps download and 3 Mbps upload. This definition is reviewed annually by the FCC, considering what “typical” users do with their broadband connection. The FCC is regularly urged to increase the speed threshold²⁵ and make the speeds “symmetrical” (identical download and upload speeds). Increasing the broadband threshold speeds would among other things increase the cost of FCC broadband support programs funded through the Universal Service Fund.
- The **IJA threshold** for “broadband service” is 100 Mbps download and 20 Mbps upload.
- The FCC’s **RDOF** relies on reverse auction bids using four performance tiers: Minimum (25/3 Mbps); Baseline (50/5 Mbps); Above Baseline (100/20 Mbps); and Gigabit (1 Gbps/500 Mbps).
- Florida Statutes defines “Broadband Internet service” as one “that offers a connection to the Internet with a capacity for transmission at a consistent speed of at least 25 [Mbps] downstream and 3 [Mbps] upstream” (25/3 Mbps). (§ 288.9961(2)(a), Fla. Stat.).

Latency is measured in milliseconds and is the time it takes for a data packet to travel across a network from one point on the network to another — the request-response time.²⁶ “Physical distances, number of network hops, routing protocols, and network equipment are generally more significant factors” contributing to latency.²⁷ The FCC’s RDOF defines “low latency” as less than or equal to 100 milliseconds, and “high latency” as less than or equal to 750 milliseconds.²⁸

VIII. Broadband Technology Trends and Characteristics

1. The customer’s location will be the biggest factor in determining broadband technology options. Rural areas will tend to have fewer options.
2. DSL has become obsolete due to distance limitations (availability limited to locations 18,000 feet or less from the switch) and speed limitations. DSL download speeds typically do not exceed 6 Mbps, which is one-quarter of the FCC’s benchmark for broadband: 25 Mbps.
3. DSL is often found in areas where cable or fiber Internet is not available. It is often cheaper than satellite or other services.

²⁵ Broadband: FCC Should Analyze Small Business Speed Needs, Report to Congressional Addressees, United States Government Accountability Office, GAO-21-494, July 2021.

²⁶ Eleventh Measuring Fixed Broadband Report, at page 10.

²⁷ Cable Broadband Technology Gigabit Evolution, CableLabs, Fall 2016, at page 16.

²⁸ RDOF Report and Order, at paragraph 32. See also, Auction 904: Rural Digital Opportunity Fund, <https://www.fcc.gov/auction/904/factsheet#technology>.

4. Fixed wireline Internet connections presently offer higher speeds and greater reliability since they are not affected by weather or line-of-sight factors that affect wireless radio transmissions, although deployment of 5G wireless service allows significantly higher speeds.
5. “Fixed broadband services... tend to offer higher speeds with greater reliability and higher usage allowances than mobile services, which can make fixed broadband services more suitable for, among other things, large file transfers, long-form video, desktop schoolwork, and sharing the same connection with multiple devices and users within the same home.”
6. Fiber optic Internet access is considered to support the highest speeds and reliability, as compared to satellite, fixed wireless and cable modem hybrid fiber/coax.
7. The higher costs associated with connecting fiber optic cable to each premise have limited unsubsidized deployments to urban and suburban areas which are more densely populated.
8. Cable internet is more widely accessible than fiber optic Internet.
9. Fixed wireless provides advantages where terrain, distance, or low density preclude placement of fiber optic or other wired technology. Fixed wireless is deployed in Florida serving previously unserved areas, for example in Hardee County.
10. Fixed wireless and satellite services require the installation of properly located external fixed receivers or antennas/satellite dish.
11. Wireless Mobile speeds vary even over small local areas.
12. 4G and 5G wireless services rely on the landline network to connect towers and antennas. These connections increasingly use fiber optic cable. Also, Wi-Fi coverage is supported by a fixed broadband connection. Similarly, Starlink relies on Google’s private fiber-optic network for connections.²⁹
13. Speeds can decrease significantly with increased usage of shared facilities/capacity due to contention for capacity (network congestion). Examples include when many users contend for wireless capacity at a sporting or entertainment event, or in the evening when many cable Internet users contend for capacity for streaming video applications such as Netflix.
14. The FCC is optimistic that “increased deployment of 5G may allow mobile services to serve as an alternative to fixed services.”³⁰ The FCC is expanding access to the spectrum to facilitate broadband deployment in the future.³¹ “The Commission has made available significant amounts of spectrum in the low-, mid-, and high-frequency bands for mobile providers to develop and deploy new technologies like 5G and to support existing 4G LTE networks.”

²⁹ Google wins cloud deal from Elon Musk’s SpaceX for Starlink Internet connectivity, by Jordan Novet, CNBC. May 13, 2021.

³⁰ Fourteenth Broadband Deployment Report, at page 6. However, the FCC has not concluded that “consumers will treat mobile 5G as a substitute for fixed services.”

³¹ Fourteenth Broadband Deployment Report, at page 4 and page 43, “Access to Spectrum.”

15. Wireless providers are beginning to use 5G to provide home internet connections, including T-Mobile 5G Home Internet,³² Verizon's 5G Ultra-Wideband³³ and Starry (various plans). Prices range from \$30 to \$80 per month, and maximum download speeds range from 35 Mbps to 1 Gbps without data caps.³⁴
16. Pricing for some service providers and offerings include data caps or limitations/added costs on data usage. Satellite services, wireless services, and fixed wireless services can include extra charges for data usage above a set level, or slow download speeds at a set level for the rest of the billing period. Data caps for fiber optic and cable internet are less prevalent.
17. Prices for SpaceX's Starlink satellite service have increased. The monthly charge for broadband Internet access increased from \$99 to \$110. The one-time charge for the user installation kit increased from \$499 to \$549.³⁵
18. The scalability and viability of low earth orbit satellites for broadband Internet is not yet proven, and there are other concerns stemming from the volume of satellites to be placed into low earth orbit and their potential impact on astronomy.

Sources for Further Information

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Auction 904: Rural Digital Opportunity Fund, <https://www.fcc.gov/auction/904/factsheet#technology>

Wireless Internet Service Providers Association (WISPA). <https://www.wispa.org/>

Understanding Internet Speeds, AT&T: <https://www.att.com/support/article/dsl-high-speed/KM1010095/>

³² <https://www.t-mobile.com/news/offers/t-mobile-launches-5g-home-internet-in-metro-by-t-mobile-stores>

³³ https://www.verizon.com/5g/?kpid=go_cmp-2036930567_adg-78854198304_ad-572787342178_kwd-520668201555_dev-c_ext-_prd-_sig-Cj0KCQjwI7qSBhD-ARIsACvV1X1eYK3UoByrLY4I2WIdqR1yUKLiXLFFb-AdezW8IF0mLF3Si5KqgRsaAnpMEALw_wcB&cmp=KNC-C-5GNetwork-NON-R-BPLU-NONE-NONE-2K0VZ0-COE-GAW-3006&gclid=Cj0KCQjwI7qSBhD-ARIsACvV1X1eYK3UoByrLY4I2WIdqR1yUKLiXLFFb-AdezW8IF0mLF3Si5KqgRsaAnpMEALw_wcB

³⁴ Could 5G Home Internet Be the Solution to Your Broadband Needs? By Trey Paul, CNET. March 6, 2022. <https://www.cnet.com/home/internet/what-is-5g-home-internet/>

³⁵ Maidenberg, M. (March 25, 2022). Inflation Boosts SpaceX Prices. *The Wall Street Journal*. p. B4.

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https://www.fcc.gov/sites/default/files/getting_broadband_qa.pdf

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Broadband Technology Report: Fiber <https://www.broadbandtechreport.com/fiber>

Cable, fiber, 5G and more: the different internet connection types and how they work, by David Anders and Sean Jackson, CNET. September 13, 2021. <https://www.cnet.com/home/internet/internet-connection-types/>

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Appendix C

Interviews with the Miccosukee and Seminole Tribes of Florida

PURC interviewed Tribal representatives in Florida regarding their broadband Internet needs and plans, talking with both the Seminole Tribe and the Miccosukee Tribe. PURC spoke with Foo Giacobbe, who leads information technology services for the Seminole Tribe. PURC also spoke with Curtis Osceola, who is the Chief of Staff for the Miccosukee Tribe. The interviews are summarized below.

The Seminole Tribe decided two to three years ago that broadband Internet development should be a priority, and launched a broadband Internet development program. In the first phase of the program, the Tribe is establishing towers for expanding cellular service, emphasizing fourth generation (4G) cellular technology known as Long-Term Evolution (LTE). Consultants were engaged for the planning of these towers, and the Tribe is currently in the construction phase. These towers will be available to AT&T, Verizon, and T-Mobile to provide LTE services in the area. The tower expansion includes the construction of fiber optic cabling to connect the towers. Phases two through four of the Tribe's broadband Internet program will include the expansion of dark fiber across Tribal lands and to members' homes, interconnecting all Tribal areas throughout the state, and the development of a Tribe-owned internet and television services provider. These phases could result in the Tribe's network replacing the broadband Internet networks provided by legacy telephone companies in Tribal areas. The Tribe is exploring whether to launch the Tribe-owned provider as a new enterprise or to purchase an existing broadband Internet provider and use it to provide service within the Tribal areas.

PURC's research for the Office of Broadband found that greater proportions of Native Americans in a geographic area are significantly associated with lower broadband Internet availability and less broadband Internet adoption, more so than for any other ethnic or racial group. For the Seminole Tribe, this negative correlation between broadband Internet and the presence of Seminole Tribe members apparently resulted from the Tribe lacking interest in broadband Internet and having a strong interest in maintaining its privacy. The strong interest in privacy remains, but the Tribe believes that broadband Internet should now be a priority. The Seminole also believes that its broadband Internet strategy will continue to protect privacy for the Tribe and its members. Broadband Internet affordability is not an issue for Tribal members.

The Seminole Tribe's primary challenges for deploying broadband Internet are land clearing, bird migration, and endangered species. Network deployment must take into consideration the Tribe's ties to the land and to nature. Once the necessary considerations are addressed, the Seminole Tribe's control of its land enables it to act quickly. The Tribe does not believe that it wants or needs state help at this time as it has its plans in place, is executing these plans, and has the necessary funding. The Seminole Tribe is willing to stay engaged with the state and to engage with other tribes to pass along the lessons it has learned from its broadband Internet program.

The Miccosukee Tribe is in a different situation than the Seminole Tribe. The Miccosukee Tribal leaders only recently determined that broadband Internet should be a priority and have not taken many steps toward broadband Internet expansion. At present, there are fiber optic cables surrounding the reservation, but fiber optics do not have much of a presence on reservation lands.

A primary interest of the Tribe is expanding broadband Internet for educational purposes. Schools have fiber optics. However, students learning from home lack broadband Internet, so there will be a desire to expand home access.

One of the challenges for the Miccosukee Tribe is the lack of a central authority to address barriers to network deployment, such as the need to work around other utility services, primarily water services. Regarding utility services, the Tribe has its own water utility and is installing a new system. Florida Power & Light provides electricity, and its lines are above ground. Comcast has run some fiber optics on the reservation, but most houses that have broadband Internet have DSL service, which is a legacy telephone company technology. Cellular coverage is good on Tribal lands. The Miccosukee Tribe has cellular towers that it leases to AT&T, Verizon, and T-Mobile. There are very few dead zones.

Broadband Internet affordability is not a problem for either Tribe. Also as with the Seminole Tribe, the Miccosukee Tribe's lack of broadband Internet has resulted from a lack of interest among Tribal leaders and members. However, now there is demand for broadband Internet, and the Tribe is ready to move forward. There are some independent camps on the reservation. People in these camps are descendants of Miccosukee people but are not Tribal members. The camps are remote and are likely to need satellite service for broadband Internet. The Miccosukee Tribe is interested in working with the state to develop Broadband Internet development on the Tribe's lands. This would include helping to develop grant applications and facilitating a Local Technology Planning Team.

In summary, while the Seminole Tribe and Miccosukee Tribe are in different situations with respect to broadband Internet development, the difference can reasonably be attributed to timing: The Seminole Tribe established broadband as a priority sooner than did the Miccosukee Tribe, and therefore, is farther along. There may be other reasons for the differences, but those are not obvious from the interviews. The Seminole Tribe wants to continue to work independently of the state. The Miccosukee Tribe is ready and willing to engage with the state to expand broadband Internet on reservation lands.

Appendix D

Methodology and List of Interviewees

The Office of Broadband contracted with PURC at the University of Florida to assist with the development of Florida’s Strategic Plan for Broadband. The methodology used to develop this Strategic Plan included interviews with a variety of stakeholders in Florida. In addition, this Strategic Plan is informed by reviews of other states’ broadband Internet plans, pertinent state and federal laws, regulations, funding guidance documents, PURC’s report, *The Status of Broadband in Florida* (2022, February 28), a literature review (Appendix D), information about broadband Internet technologies (Appendix B), and a table on state and federal funding programs (Appendix E).

I. Interviews

Interviews informed much of the strategy development. Interviews with various stakeholder groups included broadband ISPs and individuals who work for or are affiliated with: local governments, local communities and regional economic development organizations, state government agencies, emergency management and internet security entities, other states’ broadband offices, think tanks, consulting groups, foundations, federal agencies, and organizations representing consumer groups. Representatives from the following entities were interviewed:

Industry – Company or Association		
AT&T	Florida Electric Cooperatives Association	Nokia
Charter Communications, Inc.	Florida Internet and Television	T-Mobile
Conexon	FPL (Florida Power and Light)	
Crown Castle	Gainesville Regional Utilities/ GRUCom	

Florida State Government and Associated State Entities		
Enterprise Florida, Inc.	Florida Department of Management Services, Division of Telecommunications	Florida Public Service Commission
Florida Department of Economic Opportunity	Florida Department of State, Division of Library and Innovation Services	Florida Division of Emergency Management

<u>Florida State Government and Associated State Entities</u>		
Florida Department of Education, Division of Public Schools and Division of Technology & Innovation	Florida Department of State, Division of Library and Innovation Services	Heartland Education Consortium
Florida Department of Health, Office of Rural Health	Florida Department of Transportation, Office of Policy and Planning	University of Florida, Institute of Food and Agricultural Sciences

<u>U. S. Government</u>	
Federal Communications Commission	U.S. Department of Treasury
National Telecommunications and Information Administration	

<u>Local Government</u>		
Alachua County Public Schools	Florida Municipal Electric Association	Levy County Library District
Calhoun County	Florida Regional Councils Association	Okeechobee County Commission
Central Florida Regional Planning Council	Florida Small County Coalition	Wakulla County Commission
Florida Association of Counties	Gainesville Regional Authority	Walton County, Clerk of County and County Administration
Florida Rural Electric Cooperative Association	Hardee County, Economic Development Council	City of Winter Haven, Chief Information Officer

<u>Think Tanks, Consultants, and Other Organizations</u>		
The American Association of Retired Persons (AARP)	Boston Consulting Group	Pew Charitable Trusts

American Enterprise Institute	Brookings Institute	VisionFirst Advisors (for Weyerhaeuser)
Benton Institute	Ernst & Young	
Blandin Foundation	KPMG	

State Broadband Offices		
Arizona Commerce Authority	Hawaii Broadband and Digital Equity Office	North Carolina Division of Broadband and Equity, Department of Information Technology
Colorado Office of Information Technology	Illinois Office of Broadband	
Connect ME (Maine)	Minnesota Office of Broadband Development	

Appendix E

Office of Broadband Activities and Outreach

The Office of Broadband has been directed to perform the following duties:

- Create a strategic plan to increase the use of broadband internet service in Florida. The plan must include a process to review and verify public input on the broadband Internet transmission speeds and availability, federal broadband activities, and funding sources.
- Build and facilitate local technology planning teams, especially with community members from the areas of education, healthcare, business, tourism, agriculture, economic development, and local government. The planning teams shall work closely with communities to understand current broadband availability, identify assets for broadband deployment, build partnerships with service providers, identify underserved and unserved residents and businesses, identify funding opportunities, and provide assistance with applying for federal grants for broadband internet service.
- Provide technical and planning assistance to communities.
- Establish the Broadband Opportunity Program to award grants, subject to appropriations, to applicants who seek to expand broadband to unserved areas and apply for federal funds.
- Develop a map of broadband Internet service availability throughout the state consistent with the Federal Communications Commission's (FCC) Digital Opportunity Data Collection program. The map must identify where broadband-capable networks exist, service is available to end users, gaps in rural areas, and download and upload transmission speeds. DEO must receive and verify public input to identify locations in which broadband internet service is not available, including locations with transmission speeds below FCC standard of 25 megabits per second downstream and 3 megabits per second upstream. The map must be completed by June 30, 2022.
- Encourage public use of Internet service through broadband grant programs.
- Monitor, participate in, and provide input on FCC proceedings that are related to the geographic availability and deployment of broadband internet in Florida.
- Act as a repository for the attachment of broadband facilities to municipal electric utility poles.

The Office of Broadband is preparing for federal funding opportunities with the following in mind:

- Following the Governor's priorities, building the state workforce, transportation, and housing sectors will involve building out the broadband infrastructure throughout the state, specifically in unserved and underserved communities.
- Ensuring each of the funding programs, the Broadband Opportunity Program, the Capital Projects Fund, and the Infrastructure Investment and Jobs Act, provide the end user with access to minimum scalable speeds of 100mbps download and 10mbps upload.
- Connecting un/underserved areas and communities with these speeds will be an important driver for future economic development, workforce growth and stability, healthcare access, and educational opportunities for all residents and businesses in the area.

DEO Local Technology Planning Teams:

- Rolled out the Local Technology Planning Teams initiative and toolkit. The goal of the statutory initiative is to build out teams involving industry sector leaders in each county to identify locations in which broadband internet is not available, how broadband expansion will impact the community's education, workforce, and telehealth initiatives, and prepare potential broadband expansion projects for the community. The LTPTs are provided with direction on timeframes of the meetings, identifying participants from the areas of education, healthcare, business, tourism, agriculture, economic development, and local government. The planning teams work closely with rural communities in their county to better understand current broadband availability, identify assets for broadband deployment, build partnerships with service providers, identify underserved and unserved residents and businesses, identify funding opportunities, and provide assistance with applying for federal grants for broadband internet service. As of June 1, all 67 counties have identified leaders, and 27 counties have established teams, with 21 teams actively meeting. There is also one active regional team consisting of four counties. The Office of Broadband hosts a monthly call with all counties to discuss status of the meetings, answer questions, and share best practices. The culmination of this effort will be diverse community industry sectors working together to develop measurable goals, objectives, and benchmarks that will keep Florida's broadband adoption and expansion efforts on track at every level of government in subsequent years.

Outreach to National Partners:

- Reached out to NTIA for information on mapping projects in other states.
- Participate in the NTIA's State Broadband Leaders Network meetings and summits.
- Reached out to other state broadband offices in search of best practices pertaining to grant programs and mapping data.
- Partnered with the United States Department of Treasury on the Capital Projects Funding.
- Partnered with The Pew Charitable Trusts' broadband education and training initiative (BETI).
- Continual review of FCC meeting agendas for broadband topics.
- Spoke with SpaceX regarding its broadband expansion plans.
- Corresponded with U.S. Congressman Darren Soto, who serves on the subcommittee for Communications and Technology, regarding Office of Broadband funding applications.

Outreach to State Partners:

- Hosted a call with state agencies to discuss upcoming opportunities related to broadband Internet expansion and collaboration with other broadband related programs.
- Spoke with the Seminole and Miccosukee Tribes of Florida on potential funding opportunities for broadband expansion.
- Spoke with Florida Department of Management Services (DMS) on E-Rate and other broadband related programs.
- Met with Small Counties Coalition and the Florida Association of Counties to discuss Office of Broadband initiatives, partnering, and planning.
- Spoke with Florida Department of Education on the Career, Technical, and Adult Education program for potential partnership opportunities with the Florida Office of Broadband.

- Spoke with the Florida Municipal Broadband Alliance on directives of the Florida Office of Broadband and upcoming partnership opportunities.
- Spoke with statewide Internet Service Providers (ISP) regarding their partnership with the Florida Office of Broadband.
- Spoke with the Office of Rural Health at DOH regarding partnerships.
- Met with the Allapattah Collaborative about broadband expansion in the South Florida neighborhood.
- Met with the Communications Workers of America to discuss their union efforts.
- Met with the Florida League of Cities to discuss future partnerships.
- Spoke with the Department of State, Division of Libraries, on future partnerships and needs.

Conversations with Management Consultants and Service Providers:

- Spoke with various management consultants and Internet service providers around the nation on broadband best practices, grant program considerations, strategic planning discussions, and mapping insights.

DEO Website:

- Posted the Faster Florida Broadband Availability Map and link to speed test.
- Posted information on the Local Technology Planning Teams and the Broadband Planning Toolkit.
- Continuously update the website with federal and state funding opportunities.
- Posted a survey on broadband accessibility for public input and inclusion in the Florida Strategic Plan for Broadband.
- Provided sign-up option for interested parties to receive communications from the Office of Broadband.

DEO Broadband Workshops, Survey and Florida Strategic Plan for Broadband:

- Partnered with the Florida Regional Councils Association to host and facilitate ten regional workshops with industry sector leaders and statewide partners in February 2021. The information gathered from these workshops continues to help design state programs and resources for broadband adoption, deployment, expansion, and resiliency, as well as provide guidance for the Florida Strategic Plan for Broadband.
- Conducted a statewide survey on the availability and accessibility of broadband Internet in March 2021 to collect input from the public. Responses continue to help the office identify the status of broadband Internet and understand how the public defines broadband expansion in communities across the state.
- Received a Department of Commerce, Economic Development Administration (EDA), grant for \$1,000,000. The grant allowed the Office to partner with the University of Florida Public Utilities Research Center (PURC) to develop a statewide broadband study and Florida Strategic Plan for Broadband, due to the Governor and Florida Legislature on June 30, 2022. PURC developed both the Status of Broadband in Florida study and the Florida Strategic Plan for Broadband.

DEO Broadband Availability and Speed Test Map:

- The Office contracted with GEO Partners, LLC, to develop the Florida Broadband Availability and Speed Test Map to show broadband Internet service availability throughout the state. This is a geospatial map that identifies where broadband capable networks exist, where service is available to end users, gaps in rural areas, and download and upload transmission speeds.
- The Office also contracted with Strategic Digital Services (SDS) on a statewide “Faster Florida Broadband” marketing campaign to encourage citizens and businesses to take a speed test. These speed tests provide valuable public feedback on Internet availability and speed in locations throughout Florida, helping the Office identify unserved and underserved locations around the state. This marketing campaign compliments and supports the data provided in the GEO Partners, LLC, map.

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Appendix F

Literature Review

This literature review is designed to offer insight into programs that have been empirically analyzed and that address federal, state, local, and private initiatives to increase broadband Internet access and adoption rates. The following sections provide results of various supply-side and demand-side programs that have been studied.

I. Access Studies

- **Subsidies to encourage broadband Internet provision** have not been shown to increase access or adoption. Studies are limited; one study found either no relationship or a negative relationship between high-cost support, cable speeds, and availability.
- Empirical studies of **programs to eliminate barriers to provider entry** (i.e., supply-side barriers) are sparse; however, it has been shown that state-level policies are ineffective (universal service programs targeted at underserved areas do not boost penetration). Guaranteed rights of way by ISPs is strongly correlated with increased penetration, as are some forms of unbundling regulations. A positive correlation has also been found between diffusion and the presence of a broadband Internet office at the state level and state-level funding.
- **Facilities-based competition** has been shown to be more successful than service-based competition in improving access, quality, and speed and decreasing price.
- **Municipal broadband Internet provision** has been shown to be financially unsuccessful, therefore, generally non-viable.
- With respect to **public-private partnerships**, we found no statistical studies of public-private partnerships employed to promote broadband Internet diffusion or adoption, although several case studies concluded that, while programs had success with respect to broadband Internet deployment, adoption goals were not met.
- The **E-Rate program** has not been shown to affect academic outcomes or have any bearing on spurring provider competition in broadband Internet markets.
- **Public Computing Centers** were not found to have any effect on home broadband Internet adoption, economic outcomes, or academic achievement.

II. Adoption Studies

- Studies of programs addressing **price as a barrier to adoption** generally have been based on survey respondents rather than empirical analysis; we did not find any recent empirical

studies that determine price to be a significant barrier to adoption for most unconnected households.

- Studies of programs addressing **lack of computer ownership** have concluded that providing computers (or subsidized computers) does not increase broadband Internet adoption; however, one study shows that specific groups were more likely to be adopters of mobile-only Internet access. While we did not find empirical evidence on the success of such programs, they appear to have the possibility of successfully increasing adoption rates.
- Empirical analyses of **digital literacy** programs are sparse. Limited results show that prior experience with the Internet directly promoted broadband Internet adoption and that libraries and other community organizations may compensate for shortages in digital skills that otherwise act as barriers to adoption. Studies conclude that precursors of broadband Internet adoption are individuals' perceived benefits of the Internet, the ability to acquire those benefits, and a perception of value in using the Internet.
- While there exist numerous studies that describe characteristics of non-adopters, few offer evidence as to why various groups do not adopt.

III. Rural Access and Adoption Studies

- The Federal Rural Health Care Program was shown to have a positive impact in stimulating entry of broadband ISPs into rural areas. A key finding was that if rural broadband Internet availability were to increase to 100 percent, the adoption rate would increase by 6.12 percent. A cost benefit analysis would need to be undertaken to determine if this goal is optimal.

IV. Regulatory Framework Studies

- The most significant positive effect on quality and quality improvements results from competition. Studies show evidence that regulatory interventions, such as unbundling or open access provision, positively impacted markets with limited competition. Stricter regulation negatively impacted infrastructure investment by entrants but had no effect on investments by incumbent providers.

V. Missing in the literature

- Cost-benefit analyses
- Goals of programs being evaluated
- Rigorous empirical analyses
- Understanding of data necessary for any evaluation (state of affairs or program)
- Use of appropriate statistical methods

By seeking data from and results of various programs and policies, this review should prove useful to those responsible for implementing Florida's Strategic Plan for Broadband.

VI. Programs to Increase Broadband Access

A. Subsidies for Provision

Chaudhuri and Flamm (2005) concluded that high levels of inter- and intra-modal competition already effectively impose price discipline and that price subsidies arguably may promote Internet penetration at the household level, but would most likely be both redundant and extravagant. Currently, the U.S. government is spending \$42.45 billion for the BEAD program, which offers ISPs subsidies to locate in unserved and underserved areas; most of this funding is to go to the states for their own projects.¹ There have been no studies (to our knowledge) of the potential impact of this program.

Among programs to subsidize provision is the CAF, established in 2012. CAF focused on providing funding for price cap carriers to begin broadband Internet buildout.² The program was established by the FCC and funded by the Universal Service Fund (USF).³

Phase I had a budget of \$4.5 billion over six years. All existing high-cost support to price cap carriers were frozen, and an additional \$300 million in CAF funding was made available. The prior (now frozen) support was then subject to the goal of achieving universal availability of voice and broadband, and subject to obligations to build and operate broadband Internet -capable networks in unserved areas. Phase II of the program included a budget of \$1.98 billion over 10 years. Deployment was to be complete by end of 2020.

On September 15, 2015, the FCC authorized 10 telecommunications carriers to receive \$9 billion in support for rural broadband Internet development. These awards are referenced on government websites and reports, but there is no indication of which 10 carriers received the money.

An empirical evaluation of High-Cost Support Programs (Skorup & Kotrous, 2020) attempted to determine their effectiveness in increasing broadband Internet availability and improving service quality. The data includes active programs in the 48 continuous U.S. states between 2014 and 2017. The authors observe fund disbursements to each of the four subprograms: the Connect America Fund, Alternative Connect America Model,⁴ Connect American Fund Broadband Loop Support,⁵ and

¹ See Benton Institute for Broadband & Society.

² Price cap carriers are large telephone companies that are subject to FCC rate regulation that is in the form of price caps rather than rate of return regulation.

³ See the FCC *Connect American Fund*.

⁴ Established in 2016 by the Rate-of-Return Reform Order, the model provides funding to rate-of-return carriers that elect to transition to a new cost model for calculating high-cost support in exchange for meeting defined broadband build-out obligations. See Universal Service Administration, *ACAM*.

⁵ The CAF-BLS provides funding to smaller phone companies to build broadband to a specific number of fixed locations in eligible areas. See Universal Service Administration *Instructions for Completing Connect American Fund-Broadband Loop Support Mechanism*.

Rural Broadband Experiments.⁶ They state, “with the exception of the Rural Broadband Experiments, we find that High-Cost Support has no relationship or is negatively related with cable speeds and availability.”⁷ The authors note that there are “inexplicably” large disparities in subsidies granted across the states. For example, “in 2018, rural providers in Alaska received over \$2,000 in High-Cost Support per rural household in the state. In contrast, by way of example, Texas has the most rural households in the country, and 2018 subsidies amounted to about \$211 per rural household.”⁸

With respect to the cost of subsidies estimated to be required to connect remaining households to broadband Internet, de Sa (2017) predicted that connecting the remaining percent of unconnected U.S. households to fiber would require \$40 billion in initial public funding, and \$2 billion annually to support ISPs’ operational costs.

B. Barriers to Provider Entry

Barriers to entry protect incumbent firms and inhibit new entry into a market. Barriers to entry exist in many industries, in particular those characterized by high fixed costs of entry due to infrastructure costs, licensing and permit requirements, and regulatory rules, among others. A classification of entry barriers not specific to broadband Internet is provided by McAfee et al. (2004).⁹ In Table 1 below, economic barriers are differentiated from antitrust barriers; however, each is able to negatively impact a competitive market. An economic barrier is a fixed cost that must be incurred by an entrant to participate in the market, and that benefits incumbent firms. By contrast, an antitrust barrier is a cost that delays entry, and therefore, reduces social welfare relative to immediate entry but does not necessarily benefit the incumbent. A primary barrier constitutes the barrier to entry on its own. An ancillary barrier is a cost that does not constitute a barrier to entry on its own but reinforces other existing barriers. Structural barriers come from basic industry characteristics that relate to the structure of the market (for example with respect to broadband Internet infrastructure costs). Strategic barriers are essentially strategic entry deterrence actions taken by an incumbent firm, for example, loyalty programs that include customer discounts to maintain a company’s customer base and market share.

⁶ In 2014 the FCC established a \$100 million budget for the rural broadband experiments fund. The goal of the program is to provide funding for experiments in price-cap areas to bring broadband networks to residential and small business locations in rural communities. See the FCC’s *Rural Broadband Experiments*.

⁷ The cable speeds were broadband speeds offered by traditional cable television companies. Likewise, availability is the availability of broadband by these companies (Skorup & Kotrous, p. 33).

⁸ Skorup and Kotrous, p. 7.

⁹ Park and Taylor, p. 8.

Table 1*Classification of Entry Barriers*

		Economic barriers to entry		Antitrust barriers to entry	
		Standalone	Ancillary	Standalone	Ancillary
Structural barriers to entry	Economies of scale				○
	Switching costs			○	
	Brand loyalty	○		○	
	Capital costs				○
	Absolute cost advantages	○		○	
	Informational advantages				○
	Organizational advantages		○		○
	Asset specificity		○	○	
Strategic barriers to entry	Intense advertising			○	
	Contracts to block distribution			○	
	Excess capacity		○	○	
	Price discrimination	○		○	
	Leave-only marketing		○	○	
	Tying	○		○	
	Collective product proliferation				○
	Lobbying to raise entrant's cost	○		○	
	Exclusive patent cross-licensing		○	○	

Note. From McAfee et al. (2004).

Two statistical studies of factors affecting entry, and therefore broadband Internet diffusion, are from Prieger (2003) and Clements and Abramowitz (2006). Prieger (2003) estimated a model in which broadband Internet deployment is a function of various independent variables, including demographic composition, commuting and business patterns, market size, cost factors, and competition. He finds that larger markets, greater competition, and long commutes are associated with broadband Internet deployment.

Clements and Abramowitz (2006) found that population, income, and education level in an area, as well as cost-related factors, influence broadband Internet diffusion.

Empirical studies of programs to alleviate supply-side barriers to entry are sparse; however, Wallsten (2005) provided one such early investigation in which he examines government policies to improve broadband Internet availability, including streamlining rights-of-way laws, unbundling regulations, subsidies, and municipal provision. He finds that most state-level policies are ineffective: universal service programs targeted at underserved areas do not boost penetration and may even slow it by giving an artificial advantage to a given provider. Tax incentives appear to have no impact. However, guaranteed access to rights-of-way by broadband Internet providers is strongly correlated with increased penetration, and unbundling regulations affect diffusion in mixed ways as unbundled network element (UNE) lines are negatively correlated with penetration,¹⁰ while resale of telephone lines by CLECs increased penetration.

¹⁰ A UNE is a part of a telecommunications network that is required by the Telecommunications Act of 1996 to be offered to other providers to avoid duplicate infrastructure.

A more recent study by Whitacre and Gallardo (2020) used a county-level panel dataset, from 2012 to 2018, to analyze the impact of the availability of state-level funding, the existence of a state-level broadband Internet office, and the existence of restrictions on municipal broadband Internet provision on broadband diffusion. They find a small positive effect on broadband Internet diffusion from state-level funding and the presence of a broadband Internet office, and a negative impact of restrictions on municipal provision. For example, for a county with an average rural broadband Internet availability rate of 71.5 percent in 2018, the presence of a state-level funding program would be expected to raise availability to 73.3 percent; removing municipal broadband Internet restrictions would result in a similar small increase.¹¹

C. Promoting Facilities-Based Competition (versus Service-Based competition)

The term facilities-based (or infrastructure-based, or inter-platform) competition is used in the telecommunications industry to describe **competition between providers of the same or similar services** where the service is delivered by different or proprietary means or network. By contrast, service-based (or intra-platform) competition refers to when new entrants compete with incumbents by leasing facilities such as local access networks from incumbents. In an effort to increase broadband Internet diffusion, some countries have instituted various policies supporting one form of competition over the other. The European Union has tended to promote service-based competition, while facilities-based competition has been supported in the U.S.¹²

Gruber and Denni (2005) and Denni and Gruber (2007) studied the extent to which inter- and intra-platform competition facilitate broadband Internet diffusion. Using empirical evidence from the FCC and the Bureau of Economic Analysis from 1999 to 2004, they find that with intra-platform competition on cable TV platforms, initially competition had a positive impact on speed of broadband Internet diffusion, but this effect decreased over time. For intra-competition over DSL lines, initial telecommunication density was positively correlated with increased diffusion; however, the diffusion speed was negatively impacted. Inter-platform competition was shown to have a strong positive impact on diffusion speed. In states with inter-platform competition, initial availability was low but in the longer-term infrastructure competition was shown to be conducive to driving penetration.

Distaso et al. (2006) examined inter- and intra-platform competition on broadband Internet diffusion. His data represented 14 European countries; among those countries, he found that only inter-platform competition facilitated broadband Internet adoption. More recent work by Yoo (2014) compared service-based competition with facilities-based competition. Yoo used statistics and case studies to identify the best policies for increasing the deployment of high-speed broadband Internet by questioning the claim that the European model of service-based competition had outperformed the facilities-based competition underlying the U.S. approach. Using data on cable coverage and DSL provision by new entrants along with country-specific demographic data, he found that facilities-based competition had a statistically significant positive effect, while service-based competition had a statistically significant negative impact on next generation network (25 Mbps) coverage. There also was disparity between the speeds advertised

¹¹ Whitacre and Gallardo, p. 25.

¹² The European Union's competition policy is summarized in European Parliament (2021); the information includes competition policy tools, enforcement, and the role of the European Parliament.

and delivered by broadband Internet providers in the U.S. and Europe. During peak hours, U.S. actual download speeds were 96 percent of advertised speeds, compared to Europe where consumers received 74 percent of advertised download speeds. With respect to upload speeds, data indicated U.S. providers offered actual upload speeds that averaged 107 percent of advertised speeds, while European ISPs provided 88 percent of their advertised speeds.

With respect to price associated with the contrasting competition policies, data show that U.S. broadband Internet prices were lower than European prices for all service tiers up to 12 Mbps. For speeds greater than 30 Mbps U.S. prices were significantly higher (Yoo notes that the average U.S. user consumes 50 percent more capacity than the average European user, which likely is reflected in the pricing and coincides with the difference in monthly household bandwidth usage (60 GB in the U.S. vs. 40 GB in Western Europe).¹³

To determine which form of competition may better support investments in broadband Internet upgrades, Yoo included case studies of eight European countries (Denmark, France, Germany, Italy, the Netherlands, Spain, Sweden, and the United Kingdom). He again found facilities-based competition to be more effective and adds that countries that emphasized use of differing technologies achieved higher coverage rates than those relying on Fiber to the Premises (FTTP).¹⁴

Bauer and Tsai (2014) conducted a similar study that assessed the quality of broadband Internet access given various forms of market competition. They used data from Ookla (Ookla assesses Internet and network performance around the world) and Akamai (a content delivery network as well as providing Internet security) to empirically analyze the degree to which public policy decisions impacted quality and quality upgrades. Their research found that competition was the most important positive factor in providing quality. With respect to the form of competition, the authors found that broadband Internet penetration increased more strongly with the intensity of facilities-based competition than with intra-platform competition.

Prieger et al. (2014) offered increased detail regarding competition in the broadband Internet market. The authors conducted an empirical analysis of quality competition among broadband ISPs. They used the National Broadband Map data for California for 2011 through 2013 to examine how incumbent firms responded to competition from competitive local exchange carriers (CLECs) and cable modem providers. They observed that incumbent providers improved their ADSL¹⁵ quality when faced with a cable entrant and when cable operators offer increased speeds; however, incumbent providers did not raise their quality when CLECs competed via ADSL—they did when CLECs deployed fiber.

D. Municipal Provision

Municipal broadband Internet provision is broadband Internet access provided by local governments. Those supporting the municipal provision assert that quality and price are better for customers when provided by their cities rather than ISPs, and that in the absence of such provision,

¹³ Yoo (2014), p. 21.

¹⁴ Yoo (2014), p. 51.

¹⁵ ADSL is the abbreviation for asymmetric (or asynchronous) digital subscriber line, which is a method of routing digital data over copper telephone wires to allow both broadband Internet and voice communication simultaneously.

some households will not have any service options. Opponents contend that public entities are poorly equipped to maintain commercial broadband Internet networks and that government entry into the private sector constitutes unfair competition for the private sector providers.

To address these competing views, Hauge et al. (2008) examined the effect of municipal telecom provision on the presence of competitive local exchange carriers (CLECs) that formed to compete with incumbents. They conducted a nationwide empirical study of 51,148 cities with CLECs and/or municipal telecom providers and found that municipal providers tended to serve markets that CLECs did not. They also discovered that the presence of a municipal provider in a market did not affect the probability that a CLEC also served that market if there were multiple CLECs. In smaller markets that could support only one competitor to the incumbent, the presence of a municipal supplier decreased the probability of having a privately-owned competitor. A subsequent work by Hauge et al. (2009) confirmed the prior result and showed that the effect of municipal competition on private provision was largely concentrated on the first entrant. This suggests that municipalities initially entered telecommunications markets with demand too low to support competition from commercial providers.¹⁶ While useful for understanding what may drive entry, these papers only address the impact of municipal provision on privately-owned competitors; they do not address factors that may make municipal provision successful.

More recently, Yoo and Pfenninger (2017) conducted an empirical study including every municipal fiber project in the U.S. Of the 88 municipal fiber projects, 20 reported the financial results of their broadband Internet operations separately from the financial results of their electric power operations. The authors used data from these 20 municipal fiber providers over the period from 2010 to 2014 and ascertained that 11 of the 20 generated negative cash flow. Of the nine projects that were cash-flow positive, seven would require more than 60 years to break even. Only two generated sufficient cash to be on track to pay off the debt incurred within the estimated useful life of a broadband Internet network, which is typically projected to be 30 to 40 years. The authors noted, “To date, assessments of municipal fiber programs...have been long on rhetoric and anecdotes and short on systematic empirical analysis.”¹⁷

In 2022, Yoo et al. followed the 2017 work, and utilized municipalities’ official reports to empirically analyze the financial performance of every municipal fiber project in the U.S. operating in 2010 through 2019. They found that none of the projects generated sufficient nominal cash flow to remain financially viable without additional funding or debt relief, and 87 percent had not generated sufficient nominal cash flow to achieve long-run solvency. 73 percent generated negative nominal cash flow over the prior three fiscal years. The authors stated that analysis of the projects’ performance revealed that revenue generation likely plays a more important role in generating cash flow than efficiency in construction costs or operating efficiency.

Municipal Wi-Fi Provision

A subset of research on municipal provision focuses on such provision of Wi-Fi networks (see Gillett et al., 2004; Infante et al., 2007; Middleton, 2007; Potter & Clement, 2007; Shaffer, 2017). Wi-Fi

¹⁶ This is consistent with Yoo and Pfenninger (2017) and Yoo et al. (2022), which found that municipal providers were rarely commercially viable, implying that they often constitute subsidized provision of broadband.

¹⁷ Yoo and Pfenninger, p. 2.

networks do not require an FCC license for the radio spectrum they use; Wi-Fi providers need not pay the government for the use of the airspace. For this reason, some municipalities are turning to this option for broadband Internet provision to households in their areas; however, statistical analysis of the effectiveness of such programs is sparse. For example, the Detroit Community Technology Project¹⁸, the Personal Telco Project in Portland, Oregon¹⁹, and NYC Mesh in New York City²⁰ each have been operational for over five years, yet no statistical analyses have been undertaken to determine their level of success in terms of adoption or achieved outcomes from the supply of such networks.

E. Public-Private Partnerships

Public-private partnerships typically involve private capital financing of government projects. The private companies then earn profits over the course of the partnership contract. Such partnerships primarily are used for infrastructure projects that require significant initial investment that a municipality is unable to amass. No statistical studies of public-private partnerships to promote broadband Internet diffusion or adoption were found, although several case studies exist.

Gerli and Whalley (2018) focused on two projects deploying fixed broadband Internet networks in rural U.K.: Broadband for the Rural North and Connecting Cumbria. The former is a cooperative fiber-to-the-home network financed and built by residents in northwest England. As of 2022, Broadband for the Rural North remains in operation with a network of dark fiber cable and apparently successful connections (Broadband for the Rural North, n.d.), however, Gerli and Whalley (2018) offered no statistics on the program's performance.²¹ The latter project is a public-private partnership between British Telecom and Cumbria County Council to provide fiber in unserved areas. Despite achieving the set deployment goals, Connecting Cumbria frustrated rural communities who were unsatisfied with the speed or unable to access fast broadband Internet.

Gerli and Whalley (2020) followed up their 2018 study with an examination of private design-build-own (DBO) initiatives, where the public entity subsidizes the provision of infrastructure that is designed, built, managed and owned by the private partner. Using case study data, they found that the private DBOs achieved and sometimes exceeded their targets (programmatic success) but failed to engage with their stakeholders and lacked support at a local level (process deficiency).

A similar study was conducted by Fortunato et al. (2012), who analyzed municipal and public-private partnerships in Maine, Pennsylvania, and Wisconsin to determine community-level factors that either encouraged or inhibited local broadband Internet network development in persistently underserved communities. They acquired evidence suggesting that local organizing for high-speed broadband Internet access is similar to other community development problems unrelated to technology. Although the authors have data from the U.S. Census American Community Survey (ACS) (2010) and the Bureau of Economic Analysis Regional Municipal P3 Maine Hermon Washington County Pennsylvania Kutztown Cambria County Wisconsin Reedsburg Kenosha County

¹⁸ See the Detroit Community Technology Project.

¹⁹ See the Personal Telco Project.

²⁰ See NYC Mesh.

²¹ Dark fiber cable refers to excess capacity of unused fiber-optic cable that has been laid by a company but is not needed. It then can be leased to other companies to establish connections among their own locations.

Economic Information System (REIS) Regional Profiles (2010) (including population growth, migration patterns, income and education levels, and the mix of industries found in the area), no statistical analysis was pursued.

F. E-Rate Program (established in 1996)

E-Rate is a U.S. federal funding program administered by the Universal Service Administrative Company (USAC) under the direction of the FCC. The program provides discounts for telecommunications, Internet access, and internal networking costs for schools and libraries. Services include voice, data, video, and wireless services, as well as Internet access and the cost of installing and maintaining network infrastructure. The primary goal of the E-rate program is to promote equity across urban and rural areas, high and lower-income areas, and served and underserved areas by providing discounts of 20 percent to 90 percent of the cost of relevant connection services (not for computers or other devices that would then be connected). The discount offered is based on the poverty level of the school as given by the percentage of area students eligible for subsidized lunches, so that schools with more students from disadvantaged households receive higher discounts. [Rural schools and libraries also may receive a higher discount.]²²

The program is comprised of two categories. The first includes discounts for telecommunications services, such as wired and wireless data links and ISP connections. These funds are to bring Internet access to the school or library. The second category includes costs associated with internal wiring necessary to distribute connections to classrooms and other facilities within the school or library and includes wireless local area network services such as Wi-Fi.

To receive E-Rate funding, an eligible school or library must submit to the USAC a request for competitive bids for providing telecommunications and Internet goods or services. The USAC posts the requests for vendors to bid to provide the service. The school or library chooses the vendor it prefers, and then applies to the USAC for approval to commission that provider. A school can apply to the USAC by itself or as part of a district. If the latter, the discount rate is calculated as a weighted average of the schools listed on the application.

In 2014, the FCC's Second E-Rate Modernization Order increased the funding cap for the program to \$3.9 billion, indexed to inflation going forward (the cap in 2021 was \$4.276 billion).

Several studies address the successfulness of the E-rate program in various states. An early study by Ward (2005) found that program subsidies did not have any effect on academic outcomes of students in schools awarded E-rate discounts. Similarly, Goolsbee and Guryan (2006) concluded, "Using a variety of test score results, however, we do not find significant effects of the E-Rate program, at least so far, on student performance."²³ Their program evaluation (limited to schools in California) used detailed data on public schools including students' achievement test scores and the demographics of their communities. The authors found that the program subsidies did lead schools to spend more on telecommunications technology; however, test scores in math, reading and science showed no evidence of any effect on academic outcomes.

²² See the FCC *E-Rate Program*.

²³ Goolsbee and Guryan, p. 336.

More recently, Hazlett et al. (2016) conducted an empirical study using data from 374 North Carolina public high schools from 2000 to 2013, and found no improvement in student test results associated with E-rate subsidies. In fact, they found that a 1 percent increase in E-Rate spending per student in the district decreased the average math score for a school. The authors also used SAT scores to gauge educational improvement and found that increasing the amount of E-Rate funding that schools received had no impact on SAT scores. Lastly, they calculated how E-rate funding affected the ratio of students per Internet-connected computer since subsidies pay a percentage of the school's computer and Internet expenditures and found that decreasing the number of computers connected to the Internet would improve math scores.

Hazlett et al. (2016) stated the following:

The disappointment in the lack of a return is intensified by two additional reasons. First, the subsidies are the result of 18.2 percent tax on certain telephone charges. In addition to the economic distortion created by the tax, this tax is worse than most due to its regressive nature—everyone pays the same percentage regardless of their means. Given that our results show that increasing E-Rate funding has no impact on SAT scores, it seems logical that the money could be better spent on other educational reforms that might improve student performance...as there is no evidence that E-Rate spending improves any performance measure for students. (p. 14)²⁴

In a complementary magazine article, Hazlett (2016) noted that the Department of Education found that 98 percent of schools had broadband and 94 percent of classrooms were wired for high-speed connections by 2008 so that the goal of bringing Internet to schools was completed long ago.

E-Rate's effectiveness in increasing broadband Internet diffusion by spurring competition also was analyzed. Flamm (2015) used U.S. zip-code level data to examine whether the program had an identifiable and statistically significant impact on broadband Internet competition over the period of 2005-2008. He compared E-rate outcomes with outcomes from the smaller and more targeted Universal Service Fund's Rural Health Center program and found that the more highly-focused USF funding has had a statistically and economically significant impact on numbers of local broadband Internet service providers, while the E-Rate program generally did not in most areas. The latter was found to have no bearing on the number of competitors in most of the areas in which fund recipients were located and a slightly negative and statistically significant effect on broadband Internet provision in the majority of zip codes. In only the indigent or most rural areas was there any evidence that the E-Rate program had a statistically significant impact in stimulating greater competition in broadband Internet service provision, and when found, it was small.

G. Public Computing Centers

Public computer centers (PCCs) to improve broadband Internet supply was promoted first with the American Recovery and Reinvestment Act of 2009 (ARRA).²⁵ This Act mandated the National Broadband Plan, the goal of which was to ensure all Americans have access to broadband Internet.

²⁴ Haslett et al., p. 14.

²⁵ See the FCC's *American Recovery and Reinvestment Act of 2009*.

Broadband Internet provisions in the plan amounted to \$7.2 billion primarily for broadband Internet grant programs. The funds were distributed through two separate and partially overlapping programs—the Broadband Initiatives Program (BIP), administered by the Rural Utilities Service (RUS), and the Broadband Technology Opportunities Program (BTOP), run by the NTIA.²⁶ The ARRA provided \$2.5 billion for BIP and \$4.7 billion for BTOP, with the goals of construction and deployment of broadband Internet infrastructure to improve access and adoption, particularly in rural and lower-income areas.

Empirical results of studying all BTOP programs show little evidence of success in terms of economic outcomes, academic achievement, or household adoption resulting from funded grant programs (Beard et al., 2020; Hauge & Prieger, 2015).

BTOP grants included three types of projects: infrastructure in unserved and underserved areas, enhanced broadband Internet capacity at PCCs, and promoting sustainable broadband Internet adoption. \$50 million was allocated for PCC grants. The stated goal of the BTOP program was to ensure affordable access to at least 1 gigabit per second for schools, hospitals, and government buildings. The expectation was that the recipients would provide digital literacy and job training along with continuing education and entrepreneurship programs. A February 2010 BTOP report stated that \$22.8 million in grants had been awarded to PCC projects as of February 16, 2010.²⁷ While evidence shows that PCCs were established, there are few studies addressing whether those PCCs had any impact on adoption in the community or any other positive benefits for the communities in which they were established.

Chang (2021) used data on PCC grants and public library surveys to examine whether residential broadband Internet adoption rates had increased in counties in which libraries received grants and had successfully increased the number of Internet-connected computers available for use. The data was from 2009 to 2014. Chang found no evidence of increased broadband Internet adoption rates in those counties despite an increased number of Internet-connected computers.

Similarly, Whitacre and Rhinesmith (2015) examined the relationship between library and household broadband Internet adoption rates in rural areas of the U.S. They found that while library access and household adoption rates are correlated, statistical analyses revealed no evidence that counties with libraries that had increased Internet-accessible computers between 2008 and 2012 measurably impacted rates of adoption.

Similar to PCCs are community technology centers (CTCs). CTCNet was established as a national network of over 1,000 CTCs with the goal of providing access to communications services and technology infrastructure in economically disadvantaged areas. In 2006, CTCNet established the Connections for All program, which was formed to help CTCs make their programs and facilities more inviting and accessible to all.²⁸ To our knowledge, there are no studies on the impact of CTCs or the Connections for All program on access or adoption.

²⁶ See the United States Department of Commerce National Telecommunications and Information Administration *BTOP / SBI Archived Grant Program*.

²⁷ See the NTIA's *Quarterly Program Status Report*.

²⁸ See Great Nonprofits. *Community Technology Centers' Network, Inc. (Ctcnet)*.

Recently the American Rescue Plan Act of 2021, funded the Emergency Broadband Connectivity Fund (administered by the USAC). The Act establishes a \$7.17 billion program aimed at helping communities provide infrastructure, materials, and services to schools and libraries for remote learning during the pandemic.²⁹ Schools and libraries could receive Wi-Fi hotspots, modems, routers, and connected devices. To date, while data is available on implementation of the program, we have found no statistical studies analyzing program outcomes.

VII. Programs to Increase Broadband Adoption

A. Programs Addressing Price as a Barrier to Adoption

Price historically has been reported to inhibit household broadband Internet adoption, with some arguing that price is the key barrier to adoption and that prices are prohibitively high due to lack of competition or market power of incumbent providers. Broadband Internet prices are difficult to study as different performance tiers, options, and availability of bundles significantly affect advertised prices, and it is equally (if not more) difficult to determine a household's willingness to pay for a service they have not yet obtained. That said, there do exist numerous reports that reference survey respondents' assertions that price bars them from connecting. Prieger and Hu (2008) generated estimates of income elasticity of demand for DSL broadband Internet and found that demand increased with household income; however, their study lacks data from cable modem service and the data is from early years of broadband Internet development.

In May 2021, the FCC opened enrollment in its Emergency Broadband Benefit Program offering up to \$50 per month in broadband Internet subsidies for low-income U.S. households or for those who lost income during the pandemic.³⁰ Over 825 ISPs are participating in providing service, with the full list of available ISPs in each state showing that subsidies should be available in most areas that currently have home Internet access. The FCC stated that the program would continue until the \$3.2 billion in federal funding was exhausted, or six months after the Department of Health and Human Services declares the pandemic over. The program also allows eligible households to apply for a one-time discount of up to \$100 to purchase a computer for Internet access. In November 2021, the IIJA became law.³¹ This Act provides \$14.2 billion to extend the Emergency Broadband Benefit Program to a longer-term program called the Affordable Connectivity Program. These policies and the stated intent behind them reinforce the perception that households would adopt, but for the price of doing so. There is no evidence, however, that this perception is accurate as no empirical studies have been published that demonstrate change in adoption based on loss of income due to the pandemic.

While there appear to be no definitive international broadband Internet pricing studies, sources rank U.S. broadband pricing equivalent to that in peer countries. In its *Measuring Digital Development* report, the International Telecommunication Union (ITU) ranked the U.S. as tied for

²⁹ See the FCC's *Emergency Connectivity Fund*.

³⁰ The Affordable Connectivity Program replaced the Emergency Broadband Benefit Program on December 31, 2021. Information on the latter program and the changes instituted upon enactment of the former are available at <https://www.fcc.gov/broadbandbenefit>

³¹ Public Law 117-58, November 15, 2021. 135 STAT. 429. See the United States Department of Energy, Alternative Fuels Data Center.

sixth place globally for affordability of fixed broadband Internet prices as a percentage of gross national income capita (ITU, 2020). The Economist Intelligence Unit's *Inclusive Internet Index* also highlighted how the U.S. compared to 99 other countries in terms of Internet availability, and affordability (The Economist, 2021). The U.S. ranked third overall and first in affordability.³²

In sum, while high price remains an accepted political response to explain low adoption rates, other than the Prieger and Hu 2008 work, we find no empirical studies that determine price to be a significant barrier to adoption for most unconnected households.

B. Programs Addressing Lack of Computer Ownership

Lack of a computer in a household traditionally restricted broadband Internet adoption; however, technology now offers the ability to connect via mobile devices and increasingly those in unserved and underserved areas are taking advantage of that option. Initially as part of the (BTOP) in 2009, many broadband Internet programs targeted computer ownership as the first step in increasing adoption. For example, the Wireless Philadelphia Digital Inclusion Project showed that a free computer was a critical element in the success of their mission (OMG Center for Collaborative Learning, 2008). Similarly, Connect Kentucky's (2009) Computers 4 Kids program provided computers for low-income families with children.³³ The impact of these programs is uncertain however, as analysts most often report on program implementation rather than outcomes of such implementation and utilize subjective surveys of program administrators and participants rather than employing statistical methods to determine program effectiveness.

One exception is a 2020 study by Rosston and Wallsten, who examine Comcast's Internet Essentials (IE) program.³⁴ In 2011 as part of its approval of the Comcast-NBCU merger, the FCC mandated a commitment by Comcast to introduce a low-income broadband Internet program that Comcast branded Internet Essentials. As part of the program, eligible participants can purchase a laptop computer or Chromebook at a significantly reduced price. Rosston and Wallsten examined the IE program and found that approximately 66 percent of IE subscribers represented increases in low-income adoption as a result of the program, with the remaining subscribers being households that switched from a competitor and households that would have subscribed as part of a general upward trend in adoption. The authors concluded that it would be difficult to infer that subsidized computers made a difference in broadband Internet subscription.

Perrin and Bertoni (2017) used data from the Pew Research Center to discern possible digital literacy limitations as reason for lack of adoption. They found that providing a tablet computer with Internet access to people without prior Internet experience did not encourage 40 percent of subjects to use the Internet. Most (70%) called technical support at some point to get help with their device, and almost half experienced login issues.

Another possibility to encourage adoption is advocating use of mobile-only connections for Internet access. Manlove and Whitacre (2019b) studied the development of mobile-only Internet access

³² Note that countries with the same average price for broadband are equal only with respect to affordability if that price represents the same percentage of average income.

³³ See Connect Kentucky.

³⁴ See xfinity *Internet Essentials*.

from 2011 through 2015, and discovered that specific groups were more likely to be adopters of mobile-only Internet access. Specifically, older users increased their incidence of mobile only connection as did racial and ethnic minorities and households in non-metro areas. Additionally, some demographic groups had shifted to using a smartphone only. They noted that 68 percent of Americans owned a smartphone; those in rural areas were 6 percent more likely to connect to the Internet via smartphone than via a fixed connection (in comparison to those in urban areas). Lower income and less educated individuals also were higher adopters of smartphone only Internet access.

C. Programs Addressing Digital Illiteracy

Digital literacy refers to the ability to use digital technology effectively. Most programs attempting to rectify the problem of digital illiteracy target specific groups, such as the elderly, or those who are under-educated, disabled, minorities, women, at-risk youth, or urban or rural low-income households.

LaRose et al. (2007) found that prior experience with the Internet and the expected outcomes of using the Internet directly promoted broadband Internet adoption. With respect to demographic characteristics, the authors found that only age and income had direct impacts on adoption as younger and more educated individuals were more likely to adopt. They noted that differences in the adoption of high-speed Internet had previously been attributed to the demographics of rural communities, including age, education, and household income, but their work showed that the precursors of broadband Internet adoption were individuals' perceived benefits of the Internet, the ability to acquire those benefits, and a perception of value in using the Internet. Powell et al. (2010) found that libraries and other community organizations could compensate for shortages in digital skills that constitute barriers to adoption for some.

D. Other Programs Aimed at Increasing Adoption

Connected Nation

Since 2001, Connected Nation has participated in a least one project in all but eight states, offering programs to help bridge the digital divide.³⁵ Connected Nation's website states: "From state-based technology planning and mapping programs to national educational technology initiatives, Connected Nation has partners in all sectors including libraries, schools, state and local governments, large technology companies, and small businesses. Our impact on the adoption, access, and use of technology is vast."³⁶ However, no empirical evaluation of such programs is made available. We were able to locate only one empirical analysis of Connected Nation program outcomes. Manlove and Whitacre (2019a) offered an empirical analysis evaluating the effectiveness of the Connected Nation program in five states during 2012 and 2013. They found

³⁵ Digital divide refers to the gap between those with ready access to computers and the Internet, and those without. Researchers now categorize the first digital divide as pertaining to access to technology, the second digital divide as pertaining to computer use, and the third digital divide as differences in social and cultural benefits derived from Internet use.

³⁶ See Connected Nation.

that participation in the program had no statistically significant impact on broadband Internet adoption rates.

Various other broadband Internet adoption initiatives have been established within states, among groups of states, and for tribal areas. For example, Connected North was established in 2013 by Cisco to connect indigenous students to Internet.³⁷ Nevertheless, we were unable to find any empirical studies of such programs.

Research concentrating on other barriers to adoption analyze correlations among adoption and demographic characteristics as well as the Internet service offered. Clements and Abramowitz (2006) found that along with those having higher income, younger and more educated individuals and those with children were more likely to adopt broadband Internet. Weiner et al. (2012) found that race and ethnicity did not predict household-level broadband Internet adoption, and that the strongest factor for adoption was computer use by the household decision maker.

Wallsten (2016) found that for a FCC experimental broadband Internet project, providers (wireline and mobile) signed up less than 10 percent of the number of participants they had expected. His results express the difficulty of encouraging low-income households to sign up even with large discounts, suggesting that subsidies are likely to go to those who already subscribe. Subscribers also were willing to accept lower speed for lower prices. A conundrum is that while non-subscribers cite lack of knowledge as a barrier to adoption, they generally express a reluctance to accept digital literacy training classes. Wallsten noted that in one project, many were willing to forego an additional \$10 per month savings or a free computer to avoid taking digital literacy classes.

VIII. Rural Access and Adoption

The Rural Health Care Program (est. 1997) provides funding to eligible health care providers for telecommunications and broadband services necessary for the provision of health care.³⁸ The goal of the program is to improve the quality of health care available to patients in rural communities by ensuring that eligible health care providers have access to telecommunications and broadband Internet services. Rural and non-rural health care providers that are members of a consortium with more than 50 percent rural health care provider sites, receive a 65 percent discount on communications services. Beginning in 2016, health care provider funding requests exceeded the funding cap and in 2018 the FCC released the *Rural Health Care Program Funding Cap Order* increasing the annual funding cap to \$571 million as of 2017 and adjusting the cap for inflation going forward. Flamm (2015) found that the program had a significant impact in stimulating entry of local broadband Internet service providers in rural areas receiving grants.

Among the primary programs designed for increasing access and adoption in rural areas was the BIP instituted as part of the National Broadband Plan. BIP funds were intended for use in rural unserved and underserved areas and were made available for last mile and middle mile broadband Internet infrastructure projects areas that were at least 75 percent rural and unserved or underserved.³⁹ Eisenach and Caves (2011) used three case studies of programs subsidized by BIP to

³⁷ See Connected North.

³⁸ See the FCC *Rural Health Care Program*.

³⁹ See the *United States Senate Broadband Initiatives Program (BIP) Guide*.

provide evidence that broadband Internet service already was widely available in the proposed program areas. They also showed that the taxpayer cost per unserved household was above benchmarks established under the program.

Using data from the FCC, Department of Commerce, USDA Rural Development Agency and information on state-level policies from the California Public Utilities Commission, Wallsten (2005) found that subsidies provided through USDA's Rural Development broadband Internet program were not correlated with increased rural access to broadband Internet.⁴⁰ He summarizes:

While the analysis in this paper does not find a significant correlation between USDA broadband spending and broadband access, USDA Rural Development (2005) claims that 'Since 2001, Rural Development has utilized a variety of loan and loan guarantee programs to provide over \$3 billion in funding and assist over 1.3 million rural subscribers in accessing broadband.' The report does not provide any details on how the number 1.3 million was determined, or whether any empirical testing was done to determine whether the program itself was responsible for making broadband available to those 1.3 million people. However, taking USDA's numbers at face value implies that USDA Rural Development spent about \$2,300 per person connected. USDA's numbers thus seem to suggest that the program is not cost effective. For the same cost, for example, USDA could have paid for all 1.3 million people to subscribe to satellite broadband services for nearly five years.⁴¹

Under the Rural Digital Opportunity Fund (RDOF) established in 2020, the FCC approved up to \$20.4 billion in funding over a 10-year period to support the construction of broadband Internet networks in rural communities. Eligible areas include those without access to adequate broadband Internet services defined by the FCC as 25 Mbps downstream and 3 Mbps upstream. The program includes a two-part application process by which entities seeking to participate in an auction to provide service must establish financial and technical capabilities to be eligible to bid. Winning bidders then provide additional information about qualifications and the network that they intend to use to meet their obligations, among other details.⁴²

Also designed to connect rural communities to the Internet is the Rural Tribal Priority Window.⁴³ Under this program any federally recognized tribe or Alaska native village could apply for spectrum, designating their own desired license areas provided the entire area is rural tribal land. The available spectrum was a portion of the 2.5 GHz band with three channels: 49.5, 50.5 and 17.5 MHz. The 2.5 GHz band was suitable for both mobile coverage and fixed point-to-point uses. This program is no longer active; the window to apply was from February 3, 2020, to September 2, 2020. There were 419 applicants; applications are still being processed and no empirical studies are available.

⁴⁰ Wallsten did find that USDA's broader telecommunications program is correlated with increased rural broadband Internet access but shows that the program costs on average about \$1,500 per person who gains access to at least one provider, but who does not necessarily adopt broadband Internet.

⁴¹ Wallsten (2005), p. 5.

⁴² See Universal Service Administrative Co., *Rural Digital Opportunity Fund*.

⁴³ See the FCC's *2.5 GHz Rural Tribal Window*.

Hollman et al. (2020) noted that to address rural access and adoption and in particular the existence of an urban-rural digital divide, a need exists for accurate measurement and reporting to quantify such divide. The authors develop a quantitative measuring unit that computes Internet throughput in low population density areas. The throughput data is matched with a survey of user perceptions of Internet use; used together, Hollman et al. (2020) were able to estimate the actual throughput of rural versus urban users as well perceptions of users' Internet access. In addition to the collection device, the authors are collaborating with the Nebraska Public Power District and Nebraska Rural Electrification Association to obtain detailed data with which they can estimate differences in Internet connectivity between rural and non-rural areas. This quantitative evaluation appears to be able to evaluate any evidence of a rural-urban divide; however, at present, the authors acknowledge possible reliability issues with the measurement device and are unable to offer rigorous results as to the efficacy of the measure or an urban-rural divide in any given location. The authors state that in the future the measure will provide a method to accurately visualize the urban-rural digital divide, which will aid in planning for community initiatives to remedy the problem.

Silva et al. (2018) used the NTIA's National Broadband Map and the FCC's Form 477 data to construct an empirical model to investigate the determinants of broadband Internet adoption in rural areas. The authors find that broadband Internet is available in most of the census tracts included in their study, particularly noting availability in the tracts with more educated, wealthier, and older people who have more choices of providers and are more likely to adopt. The positive impact of the older population on adoption contradicts other studies' findings; however, it is possible that in the areas studied, the contradictory result is due to the type of connection (i.e., traditional fixed broadband Internet versus mobile broadband Internet subscription). A key result was that if rural broadband Internet availability were to increase to 100 percent, the adoption rate would increase by 6.12 percent. A cost benefit analysis would help determine if the goal of 100 percent adoption is optimal.

Lastly, Whitacre et al. (2015) conducted a statistical analysis using data from the FCC and the National Broadband Map to analyze the relationship between broadband Internet availability and adoption and income in rural areas. They asserted that empirical analyses to assess the degree to which a lack of infrastructure might be responsible for any urban-rural digital divide was scant. They demonstrated that existing metro–non-metro differences in infrastructure availability comprised approximately 38 percent of the 2011 broadband Internet adoption gap between areas, and that 52 percent of the gap was due to differences in characteristics such as education and household income.

Note: the ReConnect Loan and Grant Program was established to furnish loans and grants for the costs of construction, improvement, or acquisition of facilities and equipment needed to provide broadband Internet service in eligible rural areas.⁴⁴ Applications for loans and grants were accepted until March 9, 2022. In the first round of the ReConnect Program, USDA invested \$656,052,244 in high-speed broadband Internet infrastructure to create or improve e-Connectivity for rural customers across 33 states. To date, USDA has announced \$852,077,212 for projects in the second round of funding, for a total of \$1,508,129,456 invested through the ReConnect Program. We were unable to find any empirical analyses of outcomes from any of the funded projects.

⁴⁴ See the United States Department of Agriculture, *ReConnect Loan and Grant Program*.

IX. Supply-Side Factors that Affect and may Increase Broadband Adoption

To increase broadband Internet access and adoption among those who remain unserved and underserved, policymakers have relied primarily on supply-side programs that increase broadband Internet availability; however, demand-side programs also have been implemented. As availability has been found to be ubiquitous in areas that continue to have unserved and under-served households, it may be that supply-side and demand-side policies are inexorably connected and might most effectively be considered in conjunction with one another. Several studies address the degree to which supply and demand side factors are linked.

In 2001, Prieger empirically analyzed whether broadband Internet carriers avoided areas with high concentrations of low-income and minority households and found little evidence of such (Prieger, 2001b). He found that higher education levels, Spanish language use, and commuting distance (demand-side factors) as well as market size and Bell presence (supply-side factors) increased access probability, while inner city or rural location decreased access probability.

Using ITU data, Lee and Brown (2008) estimated factors that affect global broadband Internet adoption and found that the supply-side factors of inter-platform competition, Internet content, services, and applications, and faster broadband Internet speed, are positively associated with higher levels of adoption. The authors also found that income and education (demand-side factors) were not found to influence adoption.

X. Regulatory Framework Considerations

Bauer (2015) provided a useful framework by which to consider broadband Internet diffusion and adoption governance. While not empirically based, the author contended that established regulatory theory and practice may not provide reliable guidance because they are founded on prior technologies and industry structures that no longer exist. Moreover, how government and nongovernment forms of coordination affect diffusion and adoption outcomes is complicated by the existence of non-linear direct and indirect effects whose impact on performance is not well understood. Bauer noted that the right combination of policy instruments and coherence between technology and regulation is often more important than the type of policy instrument employed. He offered the following summary in Table 2 of varying effects of possible policy instruments.⁴⁵

⁴⁵ Bauer (2015, p. 19).

Table 2*Direct and Indirect Effects of Policy Instruments*

Governance instrument	Network operators		Content, application providers		Overall sectoral effect
	Incumbent	New entrant	Modular	Coupled	
R&D support	+	+	+	+	+
Demand-side measures	+	+	+	+	+
Mobile data roaming	-	+	+	+/-	?
Mobile net neutrality	-	+	+	+/-	?
Overall stakeholder effect	?	+	+	?	

Because broadband Internet technologies have different advantages for cost, usability, throughput, etc., a policy structure whereby different broadband Internet technologies compete and consumers can choose the technology (or combination thereof) that meets their needs is optimal. Bauer recommended technology neutral governance: regulation should neither require nor assume a particular technology. By extension, the rules should neither favor nor discriminate against a particular technology.

The assertions of Bauer's 2015 position paper are supported by empirical work examining the impact of regulatory interventions in broadband Internet markets. Using Ookla and Akamai data of realized download speeds for a sample of OECD and medium-income countries, Bauer (2014) showed that regulatory interventions such as unbundling or open access provision positively impacted broadband Internet availability in markets with limited competition. His results also provided evidence that the optimal policy for a given country was dependent on the specific context of a country so that no single best practice model emerged from the observations.

Similarly, Bauer and Tsai (2014) analyzed the effects of public policy on broadband quality, as they asserted that benefits from advanced ICT services were increasingly dependent on the quality of available connectivity. They specified that the most important factor with a positive effect on quality and quality improvements is competition. They also cited evidence that regulatory interventions such as unbundling or open access provision positively impacted markets with limited competition.

In a comparable study, Prieger et al. (2014) conducted an empirical analysis of quality competition among broadband ISPs using National Broadband Map data from 2011 to 2013 for local markets in California. Their results show that incumbent local exchange carriers (ILECs) improved the quality of their ADSL offerings when a cable provider entered the market, and also when cable operators started to offer higher speeds. However, ILEC ADSL providers did not raise their service quality in response to ADSL competition from CLECs but did improve speeds when CLECs deployed fiber in the market. These results substantiate Bauer and Tsai (2014) regarding the role of competition in maintaining quality.

Friederiszick et al. (2008) conducted a panel data analysis of 25 European countries to understand the correlation between entry regulation and infrastructure investment. They showed that stricter regulation negatively impacted infrastructure investment by entrants but had no effect on investments by incumbent providers. Using data from 20 EU countries, Grajek and Roller (2012) found that access regulation negatively affected investment incentives.

Biedny et al. (2021) analyzed legislation designed to increase broadband Internet availability by requiring state-funded construction projects to notify local Internet providers about the opportunity to bury conduit for easier wire installation in the future and permitting policies that require timely response from local jurisdictions regarding installation of broadband Internet equipment. Their data comes from Iowa, which passed such legislation in 2015. The authors determined that the legislation increased fiber availability by approximately 5 percent compared to states that had not passed such legislation; however, they found no impact on fixed wireless diffusion. They concluded that the results offered only limited support for the claim that such policies have any significant impact on broadband Internet fiber availability, and no support for benefits with respect to fixed wireless.

While they are older studies, Prieger's (2001a, 2007) panel data analyses of U.S. regulatory impacts on broadband Internet innovation showed that progress would have been greater if FCC regulations on the innovation and introduction of advanced telecommunications services had not been imposed, and that decreasing regulatory delays decreased time to introduce new services. Wright and Hazlett (2016) came to the same conclusion, finding that broadband Internet markets in the U.S. showed notable growth in response to deregulation reducing Title II requirements.⁴⁶

A final consideration is the impact of local loop unbundling (LLU) policies.⁴⁷ Hausman (2001, 2002) showed that LLU regulation in the U.S. impeded incumbents' deployment of network facilities required for DSL (advantaging cable operators).

Ovington et al. (2017) used data for EU-27 countries to estimate the impact of varying types of competition on broadband Internet adoption. They illustrated that LLU has had a positive impact on broadband participation, although the impact was smaller in areas where other networks already had a significant share of broadband Internet lines.

⁴⁶ Title II of the Telecommunications Act defines obligations of common carriers.

⁴⁷ LLU refers to the regulatory policy whereby the incumbent operator makes its infrastructure (physical wire connections) available to other providers. LLU might encourage competition by reducing economic barriers to entry, allowing new entrants to construct some components of their networks and obtain other components from the incumbent.

Appendix G

Federal and State Funds Available for Broadband Expansion and Support

	Name of Program	Agency	Funding	Description	Recipients/Eligible Applicants	Eligible Uses/Service to be Provided
Infrastructure Investment and Jobs Act (IIJA)	Broadband Equity, Access, and Deployment	NTIA	\$42.45 billion	The BEAD program appropriates \$42.45 billion for states, territories, the District of Columbia, and Puerto Rico to use for broadband planning, deployment, and adoption projects. Each will receive at least \$100 million, including an initial funding of \$5 million to support broadband planning, building capacity in state broadband offices and outreach and coordination with local communities. Each will submit a 5-year action plan which shall be informed by collaboration with local and regional entities. The remaining funding will be distributed based on a formula that considers the number of unserved and high-cost locations in the state, based on maps to be published by the Federal Communications Commission in 2022. Priority is for deployment in unserved locations (those below 25/3 Mbps), followed by underserved locations (those below 100/20 Mbps), and then community anchor institutions. See https://www.benton.org/blog/largest-us-investment-broadband-deployment-ever for additional details.	States, territories, D.C. states may not exclude cooperatives, nonprofit organizations, public-private partnerships, private companies, public or private utilities, public utility districts, or local governments.	Data collection, broadband mapping and planning (no more than 5% of state funding for planning); broadband infrastructure deployment to unserved and underserved areas (e.g. construction); connecting eligible community anchor institutions; promotion of broadband adoption, including through the provision of affordable internet-connected devices; provision of WiFi or reduced-cost internet access to multi-family housing units; and for other uses the NTIA determines are necessary to facilitate the goals of the program. Networks must provide speeds not less than 100 megabits per second download and 20 megabits per second upload.
	Affordable Connectivity Program	FCC	\$14.2 billion	ACP is an FCC Benefit program that helps ensure that low-income households can afford the broadband they need for work, school, healthcare and more by funding \$30/month discount for broadband internet service, and discounted devices for eligible households. It is a modification of the Emergency Broadband Benefit (EBB) which was funded at a higher level (\$50 monthly subsidy) from the Consolidated Appropriations Act, 2021.	Eligible households must meet federal poverty guidelines or other stated criteria. Service must be obtained from participating Internet Service Providers (which receive funding from FCC and apply discount to consumers' monthly bills.)	Helps low income households afford home broadband service by providing up to a \$30 monthly benefit on a household's monthly internet bill. For low-income households on Tribal lands, the benefit is up to \$75. Eligible households can receive a one-time discount of up to \$100 to purchase a laptop, desktop computer, or tablet if household contributes \$10-\$50 toward purchase. Limited to one monthly service discount and one device discount per household.
	Tribal Broadband Connectivity Program	NTIA	\$2 billion	IIJA adds funds for TBC program competitive grants for broadband infrastructure deployment; affordable broadband programs; distance learning; telehealth, digital inclusion efforts; and broadband adoption activities. Deadlines are extended to allow grantees more time for deployment and broadband adoption.	Tribal Governments, Tribal Organizations, Tribal Colleges or Universities	Planning (feasibility), broadband infrastructure deployment (construction), broadband adoption/digital literacy/tech support, digital skills training, Workforce Development, Devices/equipment, public connectivity/computer access, research and/or evaluation, data and/or mapping, smart communities/cities/regions, telehealth.
	State Digital Equity Planning Grant	NTIA	\$60 million	Formula grant program for states and territories to develop digital equity plans. Goal is to promote the meaningful adoption and use of broadband across targeted populations, including low-income households, aging populations, incarcerated individuals, veterans, individuals with disabilities, individuals with language barrier, racial and ethnic minorities, and rural inhabitants.	States, Territories, District of Columbia	Planning (e.g., feasibility).
	State Digital Equity Capacity Grant	NTIA	\$1.44 billion	Formula grant program with funds distributed via annual grant programs over five years to implement digital equity projects and support the implementation of digital equity plans, thereby promoting digital inclusion of targeted populations.	States, Territories, District of Columbia	Planning (e.g. feasibility), broadband adoption/digital literacy/tech support.

Name of Program	Agency	Funding	Description	Recipients/Eligible Applicants	Eligible Uses/Service to be Provided
State Digital Equity Competitive Grant	NTIA	\$1.25 billion	Discretionary grant program with funds distributed via annual grant programs over five years to implement digital equity projects, thereby promoting digital inclusion of targeted populations.	Local Education Agency; state governments, including any political subdivisions of the state; Tribal/Native American governments; non-profit organizations; community anchor institutions; and work Force development programs.	Broadband adoption/digital literacy/tech support, digital equity programs
Middle Mile Grants Program	NTIA	\$1 billion	The program funds construction, improvement or acquisition of middle mile infrastructure. Purpose is to expand and extend middle mile infrastructure to reduce the cost of connecting unserved and underserved areas to the internet backbone.	Eligible applicants include states, counties, cities/townships and their subdivisions; tribal governments; Native American entities; public utility districts; economic development authorities; regional planning councils; technology and telecommunications companies; electric utilities; electric cooperatives; and nonprofits.	Broadband infrastructure deployment (e.g., construction)
U.S. Dept. of Agriculture ReConnect Program	Dept. of Agriculture Rural Utilities Service (RUS)	\$1.926 billion	The ReConnect Program offers loans, grants and loan-grant combinations to build infrastructure and install equipment to provide modern, reliable high-speed Internet in rural America. ReConnect Program is funded by annual appropriations, CARES Act, and IJA.	Rural areas (specifically defined) without sufficient access to broadband (100Mbps down/20Mbps up). Eligible recipients include most state and local government entities, federally-recognized tribes, nonprofits, for-profit businesses, consortia of eligible entities.	ReConnect funds capital costs including construction, improvement, or acquisition of facilities and equipment needed to provide broadband capable of delivering 100 Mbps symmetrical service and acquisition of an existing system not currently providing sufficient access to broadband. Up to 5% may be used for preapplication expenses.
US. Dept. of Agriculture Broadband Loan program	Dept. of Agriculture Rural Utilities Service (RUS)	\$74 million	The Rural Broadband Access Loan and Loan Guarantee Program makes loans and loan guarantees to finance construction, improvement or acquisition of facilities and equipment needed to provide high speed broadband service in eligible rural areas.	Corporations, Limited Liability Company, Cooperative or Mutual Organizations; a State or Local Unit of Government.	Broadband loans provide funding on a technology-neutral basis for financing the construction, improvement and acquisition of facilities required to provide broadband service.
Private Activity Bonds	IRS Internal Revenue Code	\$600 million	States are allowed to issue Private Activity Bonds to finance broadband deployment, specifically for projects in rural areas where a majority of households do not have access to broadband (25/3 Mbps) if at least 90% of locations provided service did not have access to broadband before.	PABs can be issued by a local government, industrial development authority, housing finance authority, or other authorized entity, subject to state volume cap as allocated among regions by State of Florida.	The IJA amends the Internal Revenue Code creating a new category of exempt facility bond which is called "qualified broadband projects" to help fund those projects.
Affordable Connectivity Outreach Grants	FCC Wireline Competition Bureau	TBD	This program helps inform and educate consumers about the ACP program, the FCC may provide grants to outreach partners.	TBD	TBD
U.S. Dept. of Agriculture ReConnect Program	US Dept. of Agriculture Rural Utilities Service (RUS)	\$350 million in grants available for Tribal Governments, \$35 million max award; \$200 million in loans, \$50 million max award; \$250 million in combo loan/grant; \$350 million available for grants, \$35 million max award	ReConnect furnishes loans and grants to provide funds for the costs of construction, improvement, or acquisition of facilities and equipment needed to provide broadband service in eligible rural areas. Up to 5% of the award may be used for preapplication expenses.	Corporations, limited liability companies and partnerships, cooperatives or mutual organizations, states or local governments or subdivisions, territories, or Indian tribes.	Costs of construction, improvement or acquisition of facilities and equipment needed to provide broadband service in eligible rural areas. Potential awardees must meet a 100 Mbps symmetrical minimum service requirement in all proposed service area.

	Name of Program	Agency	Funding	Description	Recipients/Eligible Applicants	Eligible Uses/Service to be Provided
Existing Programs	Community Connect Grant Program	US Dept. of Agriculture Rural Utilities Service (RUS)	Community Connect Grant Program	Community Connect provides financial assistance to eligible applicants that will provide broadband service in rural, economically-challenged communities where broadband service does not exist (lacking 10/1 Mbps).	Incorporated organizations, federally recognized tribes, state and local units of government, other legal entities including cooperatives, private organizations, or LLCs.	The construction, acquisition, or leasing of facilities, spectrum, land or buildings used to deploy broadband service for all residential and business customers located within the Proposed Funded Service Area or all participating critical community facilities (such as public schools, fire stations, and public libraries) or for providing broadband service free of charge to same for two years.
	E-Rate – Schools and Libraries USF Program	FCC - Federal Universal Service Fund (USF)	Ongoing	The schools and libraries universal service support program, known as the E-rate program, helps schools and libraries to obtain affordable broadband by funding discounts for service pricing. Category one services are to a school or library (telecommunications, telecommunications services and Internet access), and category two services deliver internet access within schools and libraries (internal connections, basic maintenance of internal connections, and managed internet broadband services). Discounts for service pricing increase with the percentage of students eligible for free or reduced price school lunches, and vary depending on whether the school/library is located in an urban or rural area. Discounts range from 20% to 90% of the prices of eligible services. It is administered by the Universal Service Administrative Company under the FCC's direction and is not dependent on Congressional appropriations.	Schools and libraries	Telecommunications, telecommunications services and internet access (category one) and services that deliver internet access within schools and libraries such as internal connection, basic maintenance of internal connections, and managed internet broadband services (category two); Emergency Management Grants.
	Rural Digital Opportunity Fund (RDOF)	FCC - Federal Universal Service Fund (USF)	\$20.4 billion over 10 years, up to \$16 billion in Phase I, \$4.4 billion in Phase II	RDOF funding is awarded from the FCC Universal Service Fund through a reverse auction process for eligible areas – census blocks where no provider is offering broadband at 25/3 Mbps. Eligible entities (those which establish baseline financial and technical capabilities) may bid to serve one or more eligible areas. Bids must state a performance tier commitment – Minimum, Baseline, Above Baseline, or Gigabit – each of which has associated speed and other requirements. Upon notification of award, winning bidders must submit a detailed long form application for approval of funding to the FCC including certification of eligible telecommunications carrier status. Phase I funding is being awarded for the auction which concluded November 25, 2020. Phase II auction will occur to cover locations in census blocks that are partially served, as well as locations not funded in Phase I. FCC USF is not dependent on Congressional appropriations.	Entities seeking to participate must establish baseline financial and technical capabilities in order to be eligible to bid.	Construction of facilities to provide broadband and voice services to serve all locations in the eligible area at the committed performance tier (speed, latency, data usage). At least one broadband and voice service must be offered at rates that are reasonably comparable to the rates for similar service in urban areas.

	Name of Program	Agency	Funding	Description	Recipients/Eligible Applicants	Eligible Uses/Service to be Provided
	Lifeline	FCC - Federal Universal Service Fund (USF)	Ongoing	Lifeline program originated in 1985 to provide a discount on phone service for qualifying low-income consumers. In 2016 the FCC extended the program to provide discounts for broadband internet access. The Lifeline program is funded from the FCC's Universal Service Fund and administered by the Universal Service Administrative Company (USAC). USAC is responsible for data collection and maintenance, support calculation and disbursement for the Lifeline program. The FCC USF is not subject to Congressional appropriations.	Eligible low-income consumers in every state, territory, commonwealth, and on Tribal lands.	Discounted telephone service and broadband for low-income consumers.
	Connect America Fund CAF II	FCC - Federal Universal Service Fund (USF)	Ongoing (approximately \$5 billion annually to eligible recipients)	This is part of the Universal Service High Cost program and is designed to expand access to voice and broadband services for areas where they are unavailable.	Service providers	Subsidizes the cost of building network infrastructure or performing network upgrades to provide broadband in areas where it is lacking.
	Connecting Minority Communities Pilot Program	NTIA	\$268 million	The CMC program seeks to expand educational instruction and remote learning opportunities, spur economic development, create opportunities for employment and entrepreneurship, by building the digital capacity of the eligible institutions and furthering broadband access, adoption, and digital skills within those institutions and in their surrounding anchor communities. Grants are for the purpose of extending broadband internet access, connectivity and digital inclusion, and will be distributed to help these entities purchase broadband service or equipment, hire IT personnel, operate a minority business enterprise, and facilitate educational instruction and learning. The CMC program was established by the Consolidated Appropriations Act, 2021.	Historically Black Colleges or universities, Tribal Colleges or Universities and minority-serving institutions or eligible consortiums.	Purchase broadband service or equipment, hire IT personnel, operate a minority business enterprise, and facilitate educational instruction.
	Broadband Infrastructure Program	NTIA	\$288 million	This broadband deployment program is directed to partnerships between a state, or one or more political subdivisions of a state, and providers of fixed broadband service to provide qualifying broadband service (greater than 25/3 Mbps) to eligible service areas. Funding was established by the Consolidated Appropriations Act, 2021.	Partnership of a state or one or more subdivisions and a provider of fixed broadband service.	Grants to covered broadband projects, defined as competitively and technologically neutral projects for the deployment of fixed broadband service in eligible areas.
	Telecommunications Infrastructure Loans and Loan Guarantees	Dept. of Agriculture Rural Utilities Service (RUS)	Ongoing	This program provides financing for the construction, maintenance, improvement and expansion of telephone service and broadband in rural areas. The types of loans available are: cost-of-money loans from RUS; Loan Guarantees through the Federal Financing Bank; Hardship Loans from RUS to serve underserved areas.	State and local governmental entities; Federally Recognized Tribes; non-profits, including Cooperatives and limited dividend or mutual associations, for-profit businesses. Eligible areas are rural areas and towns with a population of 5,000 or less, areas without telecommunications facilities or areas where the applicant is the recognized telecommunications provider.	Loans may be used to finance telecommunications services in rural areas for new construction, improvements, expansions, acquisitions (if cost is incidental to cost of improvements), and refinancing.

Name of Program	Agency	Funding	Description	Recipients/Eligible Applicants	Eligible Uses/Service to be Provided
Coronavirus State and Local Fiscal Recovery Funds	Department of Treasury	\$10 billion	American Rescue Plan (ARPA) provides funds to eligible governments to be used to make necessary investments in broadband infrastructure which has been shown to be critical for work, education, healthcare, and civic participation during the public health emergency. The priority is to fund reliable, affordable broadband infrastructure and other digital connectivity technology projects. The program encourages projects that are designed to serve locations without access to reliable wireline 100/20 Mbps broadband service. Recipients must require the service provider to participate in the Affordable Connectivity Program.	States, territories, Tribal governments	The project invests in capital assets designed to directly enable work, education and health monitoring. The capital project is designed to address a critical need that resulted from or was made apparent or exacerbated by the Covid-19 public health emergency. The capital project is designed to address a critical need of the community to be served. Eligible uses include broadband infrastructure projects (with symmetrical speeds of 100 Mbps), Digital Connectivity Technology Projects, Multi-Purpose Community Facility Projects (that directly enable work, education and health monitoring) located in communities with critical need for the project. Also more may be eligible on case-by-case review.
Florida Broadband Opportunity Fund	Florida Dept. of Economic Opportunity	FY 2022-23 appropriation of \$400 million from the General Revenue Fund contingent upon state receipt of federal Coronavirus State Fiscal Recovery Funds.	The appropriation is to expand broadband Internet service to unserved areas of the state through the Broadband Opportunity Program. Grants are to be made for installation or deployment of infrastructure that supports the provision of broadband Internet service pursuant to Fla. Stat. § 288.9962.	Eligible applicants include: corporations, limited liability companies, and general, or limited, partnerships that are organized under Florida law or authorized to do business in Florida; political subdivisions; Indian tribes; and governmental entities or educational institutions under certain circumstances (Fla. Stat. § 288.9962)	BOP to award grants to applicants who seek to expand broadband Internet service to unserved areas of Florida. Grants are to fund installation or deployment of infrastructure that supports the provision of broadband Internet service. Grant funds may not be used for broadband Internet service in areas where broadband is already deployed. The Florida Office of Broadband may not award grants to provide broadband in an area where federal funding has been awarded (Fla. Stat. § 288.9962).

Disclaimer: this table is compiled from identified source information and does not purport to collect all information regarding each and every broadband program. Rapid developments are occurring with regard to funding of broadband expansion in underserved and unserved areas. Please check relevant agency websites for updated and current information.

20-Apr-22

Sources:

1. *Building A Better America: Guidebook to the Bipartisan Infrastructure Law for State, Local, Tribal, and Territorial*
2. *State and federal agency websites including the Florida Department of Economic Opportunity, Federal*
3. *Bipartisan Infrastructure and Jobs Act Summary: A Road to Stronger Economic Growth*
4. *Coronavirus State & Local Fiscal Recovery Funds: Overview of the Final Rule; U.S. Department of the Treasury*
5. *Online Sunshine, The 2021 Florida Statutes*

Links:

- https://www.whitehouse.gov/wp-content/uploads/2022/01/BUILDING-A-BETTER-AMERICA_FINAL.pdf
See above.
- <https://www.cantwell.senate.gov/imo/media/doc/infrastructure%20investment%20and%20jobs%20act%20-%2>
- <https://home.treasury.gov/system/files/136/SLFRF-Final-Rule-Overview.pdf>
- <http://www.leg.state.fl.us/Statutes/index.cfm?Mode=View%20Statutes&Submenu=1&Tab=statutes>



From: Kelly, Alex [Alex.Kelly@eog.myflorida.com]
Sent: Tuesday, June 21, 2022 1:01 PM
To: Eagle, Dane [Dane.Eagle@deo.myflorida.com]
Subject: FW: connection
Attachments: Resume_LauraMDiBella.pdf

J. Alex Kelly
Deputy Chief of Staff
Executive Office of the Governor
(850) 443-8626
alex.kelly@eog.myflorida.com

From: Kelly, Alex
Sent: Tuesday, June 21, 2022 12:41 PM
To: Mimbs, Brian <bmimbs@enterprise-florida.com>
Cc: 'Laura@LauraDiBella.com' <Laura@LauraDiBella.com>
Subject: connection

J. Alex Kelly
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LAURA M. DI BELLA
401 E. Virginia Street, Upstairs
Tallahassee, FL 32301

31 S. 5th Street, Upstairs
Fernandina Beach, FL 32034
Laura@LauraDiBella.com; 561.756.3132

PROFESSIONAL SUMMARY

Experienced and seasoned leader, strategic competitor, and overall brand ambassador with a demonstrated history of success in both private and public industry across numerous disciplines. Goal-oriented, collaborative, and exceptionally communicative business development professional skilled in management, marketing, sales, negotiation, strategy, and planning.

EXPERIENCE

FLORIDA HARBOR PILOTS ASSOCIATION, Tallahassee, Florida

2019 - Present

Founded in 1868, the Florida Harbor Pilots Association is comprised of 11 member associations that represent nearly 100 highly-skilled and highly-trained harbor pilots that serve each of Florida's 14 operating deepwater ports, facilitating economic development while protecting coastal environments.

Executive Director

Appointed as the first ever, full-time Executive Director to exclusively represent the interests of the Florida harbor pilots at the state level, continually building the awareness of the crucial role Florida's harbor pilots play in both the overall economic equation, as well as the environment.

Achievements:

- Point of contact with the Maritime Administration (MARAD), U.S. Coast Guard (USCG), Florida Department of Emergency Management (FLDEM), Florida Department of Transportation (FDOT), Florida Department of Health (FDOH), Small Business Administration (SBA), and many other agencies on statewide mitigation and response efforts related to the COVID-19 pandemic as it pertained to pilot health, safety, financial security, and vessel movements at Florida's seaports, allowing for zero interruption of commerce
- Collaborated and supported the drafting, execution, and successful passing of legislation that prevents citizen initiatives from interrupting commerce at Florida seaports, protecting Florida's ability to conduct international trade and welcome tourists statewide
- Facilitated drafting of USCG Sector Mobile First-Class Licensing Policy (Pensacola Bay Pilots)
- Participated in the drafting of the Florida Ocean Alliance Securing Florida's Blue Economy, A Strategic Policy Plan for Florida's Oceans and Coasts
- Assisted in the construction of a specific grant program offered through the Florida Department of Environmental Protection (FDEP) for harbor pilot vessel diesel engine repower/replacement
- Spearheaded and completed the first-ever Channel Block Tabletop Exercise with all relevant stakeholders at Port Everglades, highlighting the immediate need for a statewide supply chain contingency plan specific to fuel delivery

PORT OF FERNANDINA, OCEAN HIGHWAY AND PORT AUTHORITY OF NASSAU COUNTY, Nassau County, Florida

2017- 2019

State of Florida Independent Special District, body politic, and corporation with jurisdictional boundaries that expand two states (Florida, Georgia) and three counties (Nassau and Duval, FL, Camden, GA) in addition to being one of 14 operating deepwater seaports in the state of Florida.

Port Director

Appointed to represent the interests of the Port of Fernandina to both market and improve its brand image locally, at the state level as a member of the Florida Ports Council and the Florida Seaport Transportation and Economic Development Council (FSTED), and the logistics community overall.

Achievements:

- Facilitated the successful transition from Kinder Morgan to Worldwide Terminals Fernandina LLC as the sole port operator in February 2018
- Collaborated with the Florida Legislature and Florida Department of Transportation (FDOT) on a \$2 million appropriation for the purchase of Liebherr mobile harbor crane and oversaw the preparations, inspections, delivery, and commissioning of the crane
- Secured Florida Seaport Transportation and Economic Development (FSTED) grant funds in excess of \$3 million for port infrastructure enhancements, i.e. wharf repairs, berth dredging, warehouse construction
- Assisted in the submission and award of MARAD America's Marine Highway M-95 Fernandina Beach to Charleston Barge Service designation and subsequent \$1.29 million equipment grant
- Supported all information needed to develop and ultimately close a \$27 million bond issue for future improvements at the port

NASSAU COUNTY ECONOMIC DEVELOPMENT BOARD, Nassau County, Florida 2014 - 2019

Nassau County Economic Development Board (NCEDB) is a 501c3, private-public partnership, governed by a 28-member Board of Directors. A designated rural county by the State of Florida, Nassau County continues to experience major development due to its outstanding land and infrastructure assets, i.e. FPL-owned Crawford Diamond Industrial Park, an 1814+ acre, dual Class I rail served (Norfolk Southern/CSX) mega-site, entitled for 10.5 million sf of heavy industrial space, and Rayonier-owned East Nassau Community Planning Area (ENCPA/Wildlight) – 24,000 acres entitled for 11 million sf of mixed use space along with an estimated 20,000 rooftops. All of the above inventory only recently released and marketed to the business community over the past decade.

Executive Director

Appointed to represent and reposition the county from what was known as largely a bedroom community to nearby Jacksonville, Florida, to what today stands as a formidable competitor in the Northeast Florida economic development arena, with offerings that expand from world class healthcare, to corporate headquarters, and light to the heaviest of heavy industry.

Achievements:

- Streamlined operations, increased the budget through private fundraising
- Revised the by-laws, policies and organizational structure to operate in the Sunshine
- Completed the overhaul of the NCEDB website and marketing efforts, positioning the county to successfully recruit or retain several very large end users to the area, such as:
 - LignoTech Florida 250,000 sf manufacturing facility, \$135 million capex, 51 jobs
 - Rayonier 55,000 sf headquarters at Wildlight, employing 270
 - Masonite 300,000 sf manufacturing facility expansion, adding 85 jobs
 - Baptist Nassau 30,000 sf Surgery and Procedural Center expansion
 - UF Health Alliance at Wildlight ambulatory center and offices totaling over 45,000 sf
 - Florida Power & Light purchase of 1814 acre Crawford Diamond Industrial Park
 - Florida Public Utilities 18,000 sf headquarters at Wildlight
 - Baptist Yulee 26 acre Medical and Wellness Complex
 - HCA Nassau County 55-acre site purchase (future hospital)
 - Industrial developer purchase of 160-acre Wildlight Commerce Park
- Secured a \$5 million grant from the Florida Job Growth Grant Fund for the construction of water and wastewater infrastructure to the Crawford Diamond Industrial Park

FLORIDA MEDICAL SPACE (FMS), et al. South Florida**2002 - 2014**

Florida's first and only statewide, full service medical real estate company.

Director of Sales and Leasing

Florida Licensed Real Estate Broker Associate since 2010, officially licensed as a salesperson and worked under several different brokers since January 2002. Completed transactions across the state

of Florida ranging from single family residential, to commercial office, free-standing medical, and heavy industrial.

Achievements:

- Represented Hospital Corporation of America (HCA) throughout the state of Florida in metropolitan and rural markets in a variety of transactions:
 - Lease expansion for back-office operations encompassing over 120,000 sf (Clay County)
 - Testified on their behalf in litigation proceedings on the certificate of need (CON) process for a proposed hospital (Duval County)
 - Land acquisitions/space leasing for free-standing emergency rooms, potential future hospitals, surgical centers, medical office buildings, primary care offices, etc. (Broward, Palm Beach, St. Lucie, Orange, Osceola, St. Johns, Duval, Clay, Nassau, Santa Rosa, Bay, and Hillsboro Counties)

ENVIRO TECHNOLOGIES, INC. (EVTN), Fort Lauderdale, Florida

2001 - 2014

Publicly owned company (Ticker: EVTN) and manufacturer of high-volume separators which serve a variety of industries; oil and gas, wastewater and mining, among others. Florida Precision Aerospace (subsidiary). Family business.

Marketing Consultant

Responsibilities included meeting with customers and investors, issuing press releases and SEC reports, and attending trade shows on behalf of the company. Successes can be defined by the customers that we were able to attract, which are among the most well recognized companies in the industry with negligible money dedicated to marketing. Most notably BP in the aftermath of the Deepwater Horizon explosion, and Schlumberger, the largest oilfield services company in the world, whose purchase of the rights to EVTN's intellectual property was finalized in 2017.

IMAGE MARKETING & SPECIAL EVENTS, INC., Ocean Ridge, Florida

2002 - 2006

Full-service "guerrilla" marketing and staffing company that operated state-wide.

Co-Founder and Chief Operating Officer

Duties and successes included pitching, creating, organizing, implementing, staffing, and executing specific marketing programs for some of the most recognized companies in the world throughout the state of Florida. Managed marketing budgets that spanned from several thousands to many millions of dollars, all while leading and directing a contract staff numbering in the hundreds scattered about the state.

COMMUNITY WORK AND AFFILIATIONS

Devout advocate and supporter of the communities that I represent. Currently serve as Vice Chair representing Nassau County on the Florida State College at Jacksonville District Board of Trustees (appointed by Governor Scott, reappointed by Governor DeSantis), Florida Ocean Alliance Board of Directors Vice Chair, Co-Chair of the Florida Economic Development Council Florida 2030 Task Force, FDOT Florida Freight Advisory Committee Member, U.S. Constitution Scholarship Foundation Advisory Committee, MARAD America's Marine Highway Advisory Panel, FEMA National Business Emergency Operations Center (NBEOC) member, and volunteer as a certified guardian in Florida's 2nd Judicial Circuit Guardian ad Litem Program.

EDUCATION

Maritime Port Executive, International Association of Maritime and Port Executives (IAMPE), 2018

Bachelor of Science, Human Resource Development and Management, Minor in Business Administration, University of Florida, 2001

From: /O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=E1B65E53BD4B4E65B15DBF19FA0CDD50-KELLY, ALEX

Sent: Wednesday, June 22, 2022 7:27 AM

To: Callaway, Adam [Adam.Callaway@deo.myflorida.com]; McCaffrey, T [tmccaffrey@enterprise-florida.com]; Eagle, Dane [Dane.Eagle@deo.myflorida.com]; Ivey, Meredith [Meredith.Ivey@deo.myflorida.com]; Mimbs, Brian [bmimbs@enterprise-florida.com]; Brooks, Wesley [Wesley.Brooks@eog.myflorida.com]

CC: DeCerchio, Anna [Anna.DeCerchio@eog.myflorida.com]

Subject: RE: [EXTERNAL] - Re: Department of Defense Grant Programs

Attachments: Overview on New Federal Defense Grants.docx

Frances followed up with the attached summary of these two grant programs.

J. Alex Kelly
Deputy Chief of Staff
Executive Office of the Governor
(850) 443-8626
alex.kelly@eog.myflorida.com

From: Callaway, Adam <Adam.Callaway@deo.myflorida.com>

Sent: Monday, June 6, 2022 10:02 AM

To: McCaffrey, T <tmccaffrey@enterprise-florida.com>; Kelly, Alex <Alex.Kelly@eog.myflorida.com>; Eagle, Dane <Dane.Eagle@deo.myflorida.com>; Ivey, Meredith <Meredith.Ivey@deo.myflorida.com>; Mimbs, Brian <bmimbs@enterprise-florida.com>; Brooks, Wesley <Wesley.Brooks@eog.myflorida.com>

Cc: DeCerchio, Anna <Anna.DeCerchio@eog.myflorida.com>

Subject: RE: [EXTERNAL] - Re: Department of Defense Grant Programs

We are also familiar with these grants. We applied for a DMCSPP grant last year but did not receive an award. We can discuss in more detail if necessary.

Adam Callaway

Deputy Secretary, Division of Strategic Business Development

Florida Department of Economic Opportunity

Office: 850-717-8965 | Mobile: 850-879-6580

www.FloridaJobs.org



Florida Department of Economic Opportunity
Division of Strategic Business Development
Office: 850-717-8965

Cell: 850-879-6580

Adam.Callaway@deo.myflorida.com

www.floridajobs.org

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From: Terry McCaffrey <tmccaffrey@enterpriseflorida.com>

Sent: Monday, June 6, 2022 9:16 AM

To: Kelly, Alex <Alex.Kelly@eog.myflorida.com>; Eagle, Dane <Dane.Eagle@deo.myflorida.com>; Callaway, Adam <Adam.Callaway@deo.myflorida.com>; Ivey, Meredith <Meredith.Ivey@deo.myflorida.com>; Brian Mimbs <bmimbs@enterpriseflorida.com>; Brooks, Wesley <Wesley.Brooks@eog.myflorida.com>

Cc: DeCerchio, Anna <Anna.DeCerchio@eog.myflorida.com>

Subject: [EXTERNAL] - Re: Department of Defense Grant Programs

Alex,

Yes, we are very familiar with these OLDCC grants. The TF Resiliency Project review contract is targeted on finding projects for the DCIP program as well as FEMA BRIC funds. The other grant is focused on building defense industry, and we push that out to defense dependent community EDCs.

I am at a Military Education conference right now, but can follow up with you later if you would like more info.

Terry

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From: Kelly, Alex <Alex.Kelly@eog.myflorida.com>

Sent: Monday, June 6, 2022 8:29:21 AM

To: Eagle, Dane <Dane.Eagle@deo.myflorida.com>; Callaway, Adam <Adam.Callaway@deo.myflorida.com>; Ivey, Meredith <Meredith.Ivey@deo.myflorida.com>; Terry McCaffrey <tmccaffrey@enterpriseflorida.com>; Brian Mimbs <bmimbs@enterpriseflorida.com>; Brooks, Wesley <Wesley.Brooks@eog.myflorida.com>

Cc: DeCerchio, Anna <Anna.DeCerchio@eog.myflorida.com>

Subject: FW: Department of Defense Grant Programs

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Any familiarity with either of these grant programs?

Terry, could you ask Chip? Perhaps these are what you were mentioning to me recently, and these are just the formal names.

J. Alex Kelly
Deputy Chief of Staff
Executive Office of the Governor
(850) 443-8626
alex.kelly@eog.myflorida.com

From: "Sykes, Stephanie R. EOP/WHO" <Stephanie.R.Sykes@who.eop.gov>

Date: Wednesday, June 1, 2022 at 9:12 AM

Subject: Department of Defense Grant Programs

State Infrastructure Coordinator,

The Department of Defense (DoD) Office of Local Defense Community Cooperation ([OLDCC](#)) has released notices of funding opportunities for two grant programs critical to ongoing national security and the partnerships that underpin many of our efforts – the Defense Community Infrastructure Pilot Program ([DCIP](#)) and the Defense Manufacturing Community Support Program ([DMCSP](#)). Each program will be awarded prior to September 30, 2022, however, applications are due in mid July. While these are not Bipartisan Infrastructure Law programs, these are great opportunities that could further your infrastructure goals.

Below you will find a quick overview of both programs.

Defense Community Infrastructure Pilot Program

\$90 million supports off-post infrastructure projects to boost the military value, resilience, and/or family quality of life of a local installation. To qualify for funding, communities, states, and other eligible entities compete to construct transportation projects, schools, hospitals, police, fire, emergency response, or other community support facilities; or water, wastewater, telecommunications, electric, gas, or other utility projects.

- For more formation and details on eligibility and the application process, please visit [grant.gov DCIP page](#).

Defense Manufacturing Community Support Program

\$30 million supports long-term community investments to strengthen national security innovation and expand the capabilities of the local defense industrial ecosystem. To qualify for funding, communities – through local consortiums – compete to attract and expand defense manufacturing through targeted public and private investments in critical skills, facilities, research and development, and/or small business assistance. Priority sectors include: biotechnology, hypersonics, kinetic capabilities, energy storage and batteries, castings and forgings, microelectronics, and submarine and shipbuilding sectors.

- For more formation and details on eligibility and the application process, please visit [grants.gov DMCSP page](#).

Interested parties may also visit DoD's website at <https://oldcc.gov> for additional details and may sign up for further updates [here](#).

--

Stephanie Sykes (she/her)

Director of Intergovernmental Affairs

Infrastructure Implementation | The White House | www.build.gov

(202) 881-8373 | Stephanie.R.Sykes@who.eop.gov

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The Defense Community Infrastructure Pilot (DCIP) Program The program is designed to address deficiencies in community infrastructure, supportive of a military installation, in order to enhance military value, installation resilience, and military family quality of life.

For Federal Fiscal Year 2022 \$90 million for the pilot program. The minimum grant amount is \$250,000 and the maximum grant amount is \$20 million. Projects must be located off of a military installation.

State or local government recipients must agree to contribute not less than thirty percent (30%) of the total funding required for the project. There are exceptions available for projects in rural areas or projects that are advantageous for national security reasons.

- State or local government funding contributions are not required for proposed community infrastructure projects in rural areas, defined as a city, town, or unincorporated area that has a population of not more than 100,000 inhabitants. Where applicable, proposers must state explicitly in their proposal that the:
 - Proposed project is located entirely in a rural area; and,
 - The proposer is not required to provide a non-Federal (local) project cost contribution.
- State or local government funding contributions are not required for proposed community infrastructure projects that are determined to be advantageous for reasons related to national security. In such instances, the proposer must assert in their proposal the basis for this waiver, including a signed statement from the cognizant Military Department Secretary attesting to the national security need/importance of the proposed project.

Eligible community infrastructure projects are any complete and useable transportation project; community support facilities (e.g., school, hospital, police, fire, emergency response, or other community support facility); and utility infrastructure projects [e.g., water, waste-water, telecommunications, electric, gas, or other utility infrastructure (with necessary cyber safeguards)] that:

- Are located off of a military installation;
- Support a military installation;
- Are owned by a state or local government or a not-for-profit, member-owned utility service;
- That will enhance military value, military installation resilience and/or military family quality of life at the supported military installation (definitions of these enhancements are provided in Section E., paragraph 1. of the Notice of Funding Opportunity);
- That are endorsed by the local installation commander representing the installation benefitting from the proposed project;
- Are where ground-disturbing work has not yet commenced; and,
- Are construction-ready.

Entities eligible to receive a DCIP grant include States and local governments. Entities other than these entities may partner with a State or local government, but the project itself must be owned by a state or local government or a not-for-profit, member-owned utility service. More than one proposal may be submitted, but cannot be combined.

The Defense Manufacturing Community Support Program (DMCSP) The program is designed to support long-term community investments that strengthen national security innovation and expand the capabilities of the defense manufacturing industrial ecosystem.

For Federal Fiscal Year 2022, \$30 million is available for award up to the appropriation amount. The maximum award for any one consortia is \$5 million.

The activities eligible under this program may include:

- Equipment or facility upgrade;
- Workforce training, retraining, or recruitment and retention, including that of women and underrepresented minorities;
- Business incubators;
- Advanced research and commercialization, including with Federal laboratories and depots;
- Supply chain development; and
- Small business assistance.

Applying for the grant is a two-step process. First, a consortium must apply for and receive designation as a Defense Manufacturing Community. A consortium can be comprised of the following organizations and various combinations of the following:

- Academia;
- Defense industry;
- Defense industry and association-led organizations;
- Non-profit organizations; and/or
- State and local government organizations.

The consortium must demonstrate regional collaboration capabilities and technological and/or industrial base supply chains that are determined to be critical to national security.

Secondly, upon receiving a designation, the most competitive Defense Manufacturing Communities will be invited to submit a grant application for funding. Proposals should be submitted by a "Lead Organization" on behalf of the regional manufacturing consortium. Eligible Lead Organizations are state, local or tribal government organizations, non-profit or private non-profit institutions.

The grantee must contribute at least 20 percent of the total project cost toward the project. Once obligated, the funding remains available for expenses for up to five (5) years, as approved by the Office of Local Defense Community Cooperation in the grant terms and conditions.

The Department of Economic Opportunity applied for this grant in Federal Fiscal Year 2021 and was not selected for funding. Feedback suggest the state needs a stronger consortium before applying again.

From: Kelly, Alex [Alex.Kelly@eog.myflorida.com]
Sent: Wednesday, June 22, 2022 8:21 AM
To: 'Callaway, Adam' [Adam.Callaway@deo.myflorida.com]; McCaffrey, T [tmccaffrey@enterprise-florida.com]; Eagle, Dane [Dane.Eagle@deo.myflorida.com]; Ivey, Meredith [Meredith.Ivey@deo.myflorida.com]; Mimbs, Brian [bmimbs@enterprise-florida.com]; Brooks, Wesley [Wesley.Brooks@eog.myflorida.com]
CC: DeCerchio, Anna [Anna.DeCerchio@eog.myflorida.com]
Subject: RE: [EXTERNAL] - Re: Department of Defense Grant Programs
Attachments: Overview on New Federal Defense Grants.docx

Frances followed up with the attached summary of these two grant programs.

J. Alex Kelly
Deputy Chief of Staff
Executive Office of the Governor
(850) 443-8626
alex.kelly@eog.myflorida.com

From: Callaway, Adam <Adam.Callaway@deo.myflorida.com>
Sent: Monday, June 6, 2022 10:02 AM
To: McCaffrey, T <tmccaffrey@enterprise-florida.com>; Kelly, Alex <Alex.Kelly@eog.myflorida.com>; Eagle, Dane <Dane.Eagle@deo.myflorida.com>; Ivey, Meredith <Meredith.Ivey@deo.myflorida.com>; Mimbs, Brian <bmimbs@enterprise-florida.com>; Brooks, Wesley <Wesley.Brooks@eog.myflorida.com>
Cc: DeCerchio, Anna <Anna.DeCerchio@eog.myflorida.com>
Subject: RE: [EXTERNAL] - Re: Department of Defense Grant Programs

We are also familiar with these grants. We applied for a DMCSF grant last year but did not receive an award. We can discuss in more detail if necessary.

Adam Callaway

Deputy Secretary, Division of Strategic Business Development

Florida Department of Economic Opportunity
Office: 850-717-8965 | Mobile: 850-879-6580
www.FloridaJobs.org



Florida Department of Economic Opportunity
Division of Strategic Business Development
Office: 850-717-8965
Cell: 850-879-6580
Adam.Callaway@deo.myflorida.com

www.floridajobs.org

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Follow us on: [Facebook](#), [Twitter](#) and [LinkedIn](#).*

From: Terry McCaffrey <tmccaffrey@enterpriseflorida.com>
Sent: Monday, June 6, 2022 9:16 AM
To: Kelly, Alex <Alex.Kelly@eog.myflorida.com>; Eagle, Dane <Dane.Eagle@deo.myflorida.com>; Callaway, Adam <Adam.Callaway@deo.myflorida.com>; Ivey, Meredith <Meredith.Ivey@deo.myflorida.com>; Brian Mimbs <bmimbs@enterpriseflorida.com>; Brooks, Wesley <Wesley.Brooks@eog.myflorida.com>
Cc: DeCerchio, Anna <Anna.DeCerchio@eog.myflorida.com>
Subject: [EXTERNAL] - Re: Department of Defense Grant Programs

Alex,

Yes, we are very familiar with these OLDCC grants. The TF Resiliency Project review contract is targeted on finding projects for the DCIP program as well as FEMA BRIC funds. The other grant is focused on building defense industry, and we push that out to defense dependent community EDCs.

I am at a Military Education conference right now, but can follow up with you later if you would like more info.

Terry

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From: Kelly, Alex <Alex.Kelly@eog.myflorida.com>
Sent: Monday, June 6, 2022 8:29:21 AM
To: Eagle, Dane <Dane.Eagle@deo.myflorida.com>; Callaway, Adam <Adam.Callaway@deo.myflorida.com>; Ivey, Meredith <Meredith.Ivey@deo.myflorida.com>; Terry McCaffrey <tmccaffrey@enterpriseflorida.com>; Brian Mimbs <bmimbs@enterpriseflorida.com>; Brooks, Wesley <Wesley.Brooks@eog.myflorida.com>
Cc: DeCerchio, Anna <Anna.DeCerchio@eog.myflorida.com>
Subject: FW: Department of Defense Grant Programs

CAUTION: This email originated from outside of the Enterprise Florida email system. DO NOT click any links or open attachments unless you have verified the sender and know the content is safe.

Any familiarity with either of these grant programs?

Terry, could you ask Chip? Perhaps these are what you were mentioning to me recently, and these are just the formal names.

J. Alex Kelly

Deputy Chief of Staff
Executive Office of the Governor
(850) 443-8626
alex.kelly@eog.myflorida.com

From: "Sykes, Stephanie R. EOP/WHO" <Stephanie.R.Sykes@who.eop.gov>
Date: Wednesday, June 1, 2022 at 9:12 AM
Subject: Department of Defense Grant Programs

State Infrastructure Coordinator,

The Department of Defense (DoD) Office of Local Defense Community Cooperation ([OLDCC](#)) has released notices of funding opportunities for two grant programs critical to ongoing national security and the partnerships that underpin many of our efforts – the Defense Community Infrastructure Pilot Program ([DCIP](#)) and the Defense Manufacturing Community Support Program ([DMCSP](#)). Each program will be awarded prior to September 30, 2022, however, applications are due in mid July. While these are not Bipartisan Infrastructure Law programs, these are great opportunities that could further your infrastructure goals.

Below you will find a quick overview of both programs.

Defense Community Infrastructure Pilot Program

\$90 million supports off-post infrastructure projects to boost the military value, resilience, and/or family quality of life of a local installation. To qualify for funding, communities, states, and other eligible entities compete to construct transportation projects, schools, hospitals, police, fire, emergency response, or other community support facilities; or water, wastewater, telecommunications, electric, gas, or other utility projects.

- For more formation and details on eligibility and the application process, please visit [grant.gov DCIP page](#).

Defense Manufacturing Community Support Program

\$30 million supports long-term community investments to strengthen national security innovation and expand the capabilities of the local defense industrial ecosystem. To qualify for funding, communities – through local consortiums – compete to attract and expand defense manufacturing through targeted public and private investments in critical skills, facilities, research and development, and/or small business assistance. Priority sectors include: biotechnology, hypersonics, kinetic capabilities, energy storage and batteries, castings and forgings, microelectronics, and submarine and shipbuilding sectors.

- For more formation and details on eligibility and the application process, please visit [grants.gov DMCSP page](#).

Interested parties may also visit DoD's website at <https://oldcc.gov> for additional details and may sign up for further updates [here](#).

--

Stephanie Sykes (she/her)

Director of Intergovernmental Affairs

Infrastructure Implementation | The White House | www.build.gov

(202) 881-8373 | Stephanie.R.Sykes@who.eop.gov

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The Defense Community Infrastructure Pilot (DCIP) Program The program is designed to address deficiencies in community infrastructure, supportive of a military installation, in order to enhance military value, installation resilience, and military family quality of life.

For Federal Fiscal Year 2022 \$90 million for the pilot program. The minimum grant amount is \$250,000 and the maximum grant amount is \$20 million. Projects must be located off of a military installation.

State or local government recipients must agree to contribute not less than thirty percent (30%) of the total funding required for the project. There are exceptions available for projects in rural areas or projects that are advantageous for national security reasons.

- State or local government funding contributions are not required for proposed community infrastructure projects in rural areas, defined as a city, town, or unincorporated area that has a population of not more than 100,000 inhabitants. Where applicable, proposers must state explicitly in their proposal that the:
 - Proposed project is located entirely in a rural area; and,
 - The proposer is not required to provide a non-Federal (local) project cost contribution.
- State or local government funding contributions are not required for proposed community infrastructure projects that are determined to be advantageous for reasons related to national security. In such instances, the proposer must assert in their proposal the basis for this waiver, including a signed statement from the cognizant Military Department Secretary attesting to the national security need/importance of the proposed project.

Eligible community infrastructure projects are any complete and useable transportation project; community support facilities (e.g., school, hospital, police, fire, emergency response, or other community support facility); and utility infrastructure projects [e.g., water, waste-water, telecommunications, electric, gas, or other utility infrastructure (with necessary cyber safeguards)] that:

- Are located off of a military installation;
- Support a military installation;
- Are owned by a state or local government or a not-for-profit, member-owned utility service;
- That will enhance military value, military installation resilience and/or military family quality of life at the supported military installation (definitions of these enhancements are provided in Section E., paragraph 1. of the Notice of Funding Opportunity);
- That are endorsed by the local installation commander representing the installation benefitting from the proposed project;
- Are where ground-disturbing work has not yet commenced; and,
- Are construction-ready.

Entities eligible to receive a DCIP grant include States and local governments. Entities other than these entities may partner with a State or local government, but the project itself must be owned by a state or local government or a not-for-profit, member-owned utility service. More than one proposal may be submitted, but cannot be combined.

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The activities eligible under this program may include:

- Equipment or facility upgrade;
- Workforce training, retraining, or recruitment and retention, including that of women and underrepresented minorities;
- Business incubators;
- Advanced research and commercialization, including with Federal laboratories and depots;
- Supply chain development; and
- Small business assistance.

Applying for the grant is a two-step process. First, a consortium must apply for and receive designation as a Defense Manufacturing Community. A consortium can be comprised of the following organizations and various combinations of the following:

- Academia;
- Defense industry;
- Defense industry and association-led organizations;
- Non-profit organizations; and/or
- State and local government organizations.

The consortium must demonstrate regional collaboration capabilities and technological and/or industrial base supply chains that are determined to be critical to national security.

Secondly, upon receiving a designation, the most competitive Defense Manufacturing Communities will be invited to submit a grant application for funding. Proposals should be submitted by a “Lead Organization” on behalf of the regional manufacturing consortium. Eligible Lead Organizations are state, local or tribal government organizations, non-profit or private non-profit institutions.

The grantee must contribute at least 20 percent of the total project cost toward the project. Once obligated, the funding remains available for expenses for up to five (5) years, as approved by the Office of Local Defense Community Cooperation in the grant terms and conditions.

The Department of Economic Opportunity applied for this grant in Federal Fiscal Year 2021 and was not selected for funding. Feedback suggest the state needs a stronger consortium before applying again.

From: /O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=E1B65E53BD4B4E65B15DBF19FA0CDD50-KELLY, ALEX

Sent: Wednesday, June 22, 2022 1:10 PM

To: Ivey, Meredith [Meredith.Ivey@deo.myflorida.com]; Strickland, Katie [Katie.Strickland@eog.myflorida.com]; Pollins, Stu [Stu.Pollins@LASPBS.STATE.FL.US]; Weller, Molly [Molly.Weller@LASPBS.STATE.FL.US]; Coyle, Frances [Frances.Coyle@LASPBS.STATE.FL.US]; Vickers, Mary Beth [MaryBeth.Vickers@LASPBS.STATE.FL.US]

CC: Eagle, Dane [Dane.Eagle@deo.myflorida.com]; Melnick, Benjamin [Benjamin.Melnick@deo.myflorida.com]; McKinstry, Molly B [molly.mckinstry@myflfamilies.com]; Pasley, Cassandra [Cassandra.Pasley@flhealth.gov]; Sutton, Stephanie [stephanie.sutton@floridahousing.org]

Subject: RE: for review - Draft State of Florida Annual Action Plan for the Community Development Block Grant (CDBG) Program

Attachments: Draft AAP Briefing Sheet for OPB 6-20-22.docx; DRAFT FFY 2022 Florida AAP OPB 6-20-22 AK.docx

Just made some small comments early in the second attachment with revisions and request that you embed the concepts, which I mention in the comments, elsewhere in the document.

Well done.

J. Alex Kelly
Deputy Chief of Staff
Executive Office of the Governor
(850) 443-8626
alex.kelly@eog.myflorida.com

From: Ivey, Meredith <Meredith.Ivey@deo.myflorida.com>

Sent: Tuesday, June 21, 2022 11:52 AM

To: Kelly, Alex <Alex.Kelly@eog.myflorida.com>; Strickland, Katie <Katie.Strickland@eog.myflorida.com>; Pollins, Stu <Stu.Pollins@LASPBS.STATE.FL.US>; Weller, Molly <Molly.Weller@LASPBS.STATE.FL.US>; Coyle, Frances <Frances.Coyle@LASPBS.STATE.FL.US>; Vickers, Mary Beth <MaryBeth.Vickers@LASPBS.STATE.FL.US>

Cc: Eagle, Dane <Dane.Eagle@deo.myflorida.com>; Melnick, Benjamin <Benjamin.Melnick@deo.myflorida.com>; McKinstry, Molly B <molly.mckinstry@myflfamilies.com>; Pasley, Cassandra <Cassandra.Pasley@flhealth.gov>; Sutton, Stephanie <Stephanie.Sutton@floridahousing.org>

Subject: for review - Draft State of Florida Annual Action Plan for the Community Development Block Grant (CDBG) Program

Good afternoon,

Attached for your review is State of Florida Fiscal Year 2022/23 Annual Action Plan for the Community Development Block Grant (CDBG) Program for the period July 1, 2022 through June 30, 2023. DEO is

required to submit an Annual Action Plan to the U.S. Department of Housing and Urban Development (HUD) annually for the State of Florida to receive grant funding from HUD. DEO's Bureau of Small Cities and Rural Communities is requesting approval to publish the Annual Action Plan Draft for public comment by June 28, 2022. This will allow for a required 15 day public comment period, time to address comments, if any, and ultimately submit the final Action Plan to HUD by August 16, 2022.

The Annual Action Plan is developed collaboratively on behalf of the agencies listed below and DEO is responsible for submitting on behalf of the state (Each agency partner listed below receives funds directly from HUD for the implementation and administration of various programs):

- Florida Department of Economic Opportunity (DEO)
- Florida Department of Health (DOH)
- Florida Department of Children and Families (DCF)
- Florida Housing Finance Corporation (FHFC)

It's my understanding all agencies listed have signed off on their individual sections but adding all Chiefs just in case.

Thank you,
Meredith Ivey
Chief of Staff

Florida Department of Economic Opportunity

Office: 850-245-7153

Email: Meredith.Ivey@deo.myflorida.com

www.FloridaJobs.org



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State of Florida 2022 Annual Action Plan, Community Development Block Grant Program



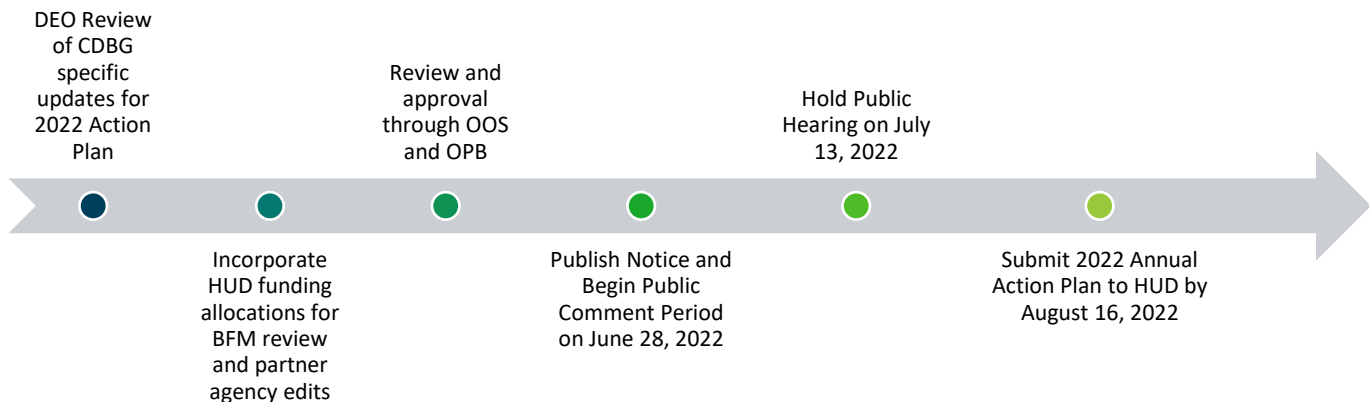
The Bureau of Small Cities and Rural Communities is requesting the review and approval of the State of Florida Fiscal Year 2022/23 Annual Action Plan for the Community Development Block Grant (CDBG) Program for the period July 1, 2022 through June 30, 2023. DEO is required to submit an Annual Action Plan to the U.S. Department of Housing and Urban Development (HUD) annually for the State of Florida to receive grant funding from HUD. **The Bureau is requesting approval to publish the Annual Action Plan Draft for public comment by June 28, 2022.** This will allow for a required 15 day public comment period, time to address comments, if any, and ultimately submit the final Action Plan to HUD by August 16, 2022. The Annual Action Plan is developed collaboratively. Each agency partner listed below receives funds directly from HUD for the implementation and administration of various programs:

- Florida Department of Economic Opportunity (DEO)
- Florida Department of Health (DOH)
- Florida Department of Children and Families (DCF)
- Florida Housing Finance Corporation (FHFC)

Notes for Reviewers

DEO has reviewed and approved all CDBG portions of the 2022 Annual Action Plan. Partner agencies concurrently reviewed and submitted their approved sections to DEO for incorporation into the final draft. The final draft will be routed through the Office of Policy and Budget (OPB) before we publish the combined draft 2022 Annual Action Plan for public comment and hold a public hearing.

Also enclosed in this review packet is the draft Notice of Public Meeting/Hearing/Workshop, and the email template for the Announcement of the Public Comment Period. Blank fields are inserted to allow for final dates to be added once all information has been received.



Annual Action Plan Background Information

The Annual Action Plan is a component of the Florida 2020-2024 Consolidated Plan. The State of Florida's Consolidated Plan is for the five-year period from July 1, 2020, through June 30, 2025, covering HUD program years 2020-2024. Each year's individual Action Plan delineates the steps undertaken and the goals to be achieved to address the priority needs over the Consolidated Plan's five-year timeframe. Additionally, HUD requires each state to also submit a Consolidated Annual Performance and Evaluation Report (CAPER) annually. The CAPER details funding expenditures for a given program year and compares actual performance outcomes to those proposed in the Action Plan.

For purposes of the Annual Action Plan, the state of Florida is eligible to receive grant funds from the U.S. Department of Housing and Urban Development (HUD) to address housing and community development needs. Corporation (FHFC).

The funds are primarily meant for investment in the state's less populated and rural areas ("non-entitlement" areas), which do not receive such funds directly from HUD.

These different grant funds include:

- Small Cities Community Development Block Grant (CDBG) Program, by the Department of Economic Opportunity (DEO); The CDBG Program supports affordable housing and infrastructure needs to primarily benefit low to moderate income households.
- Housing Opportunities for Persons with AIDS (HOPWA) Program, by the Florida Department of Health; The HOPWA Program provides housing opportunities to persons with HIV/AIDS.
- Emergency Solutions Grant (ESG) Program, by the Florida Department of Children and Families (DCF); and The ESG Program provides transitional and rapid re-housing activities to the homeless segment of the population.
- HOME Partnerships Program/National Housing Trust Fund (NHTF) Program by the Florida Housing Finance Corporation (FHFC). The HOME Program addresses affordable housing for low- and very low-income households by providing rehabilitation, reconstruction, new construction and rental assistance activities.
The NHTF Program works in tandem with other affordable housing programs to finance new units for extremely low-income residents.

State of Florida 2022 Annual Action Plan

Florida Department of Economic Opportunity

Small Cities Community Development Block Grant Program

Florida Department of Health

Housing Opportunities for Persons with AIDS Program

Florida Department of Children and Families

Emergency Solutions Grant Program

Florida Housing Finance Corporation

HOME Partnerships Program

National Housing Trust Fund (NHTF) Program

Executive Summary

AP-05 Executive Summary - 24 CFR 91.200(c), 91.220(b)

1. Introduction:

The state of Florida is eligible to receive grant funds from the U.S. Department of Housing and Urban Development (HUD) to address housing and community development needs. These different grant funds include: Small Cities Community Development Block Grant (CDBG) Program, Housing Opportunities for Persons with AIDS (HOPWA) Program, Emergency Solutions Grant (ESG) Program, HOME Investment Partnerships Program (HOME), and the National Housing Trust Fund (NHTF) Program. The funds are primarily meant for investment in the state's less populated and rural areas (non-entitlement areas), which do not receive such funds directly from HUD. The state of Florida's Consolidated Plan is for the five-year period from July 1, 2020, through June 30, 2025, covering HUD program years 2020-2024.

Each of the agencies listed below receive funds directly from HUD for the implementation and administration of the following programs:

- CDBG Program – the Florida Department of Economic Opportunity (DEO);
- HOPWA Program – the Florida Department of Health (DOH);
- ESG Program – the Florida Department of Children and Families (DCF); and
- HOME and NHTF Programs – the Florida Housing Finance Corporation (FHFC).

The state of Florida 2022 Annual Action Plan is for a one-year period from July 1, 2022, through June 30, 2023.

The Needs Assessment and Market Analysis sections of the Consolidated Plan determine the priority housing and non-housing development needs within the state. The Strategic Plan section describes the strategies that will be undertaken and the goals to be achieved to address the priority needs over the Consolidated Plan's five-year timeframe. An emphasis is placed on meeting priority needs based on housing, homelessness, HOPWA, and community and economic development projects that are eligible for funds through the programs administered by HUD-funded agencies. The Third-Year Action Plan describes the activities that will be undertaken in the second year (2022) to address the priority needs and make progress toward meeting the Strategic Plan goals.

2. Summarize the objectives and outcomes identified in the Plan.

This could be a restatement of items or a table listed elsewhere in the plan or a reference to another location. It may also contain any essential items from the housing and homeless needs assessment, the housing market analysis or the strategic plan.

All HUD-funded projects must meet one of three National Objectives:

- Primarily benefit low- and moderate-income persons;
- Prevent or eliminate slum or blight; or
- Meet other community development needs that address an urgent need to existing conditions posing a serious and immediate threat to the health or welfare of the community, and where other financial resources are not available to meet such needs.

The state of Florida's strategic goals to address housing and community development needs through CDBG, HOME, HOME-ARP, ESG, HOPWA and NHTF include:

- Economic Development;
 - Including infrastructure, workforce housing, employment, reemployment and broadband planning
- Commercial Revitalization;
- Housing Rehabilitation;
 - Including workforce housing;
- Neighborhood Revitalization;
- Emergency Shelter and Street Outreach to People Experiencing Homelessness;
- Permanent Housing for People Experiencing Homelessness;
- Rental and Homeownership Activities through Community Housing Development Organizations (CHDOs);
- Housing and Supportive Services;
- Affordable Rental Housing (including affordable rental housing options specifically designated for extremely low-income and very low-income working households); and
- Affordable Homeownership Housing.

The highest priorities for the CDBG Program are the following:

- Job creation and sustainability;
- Flood and drainage (stormwater) improvements;
- Street and sidewalk improvements;
- Water line and treatment plan improvements; and
- Rehabilitation of low-income homes, including workforce housing, to meet local building code and Section 8 housing quality standards.

3. Evaluation of past performance

This is an evaluation of past performance that helped lead the grantee to choose its goals or projects.

Over the past five years, the state of Florida has funded a variety of programs and activities with HUD block grants and continues to address the greatest housing, community, and economic development needs in the state. Florida intends to continue these successful programs and activities during the current planning period of 2020-2024.

As required by HUD, the state must submit a Consolidated Annual Performance and Evaluation Report (CAPER) each year in September. The CAPER details funding expenditures for a given program year and compares actual performance outcomes to those proposed in the Action Plan. Collectively, the 2019 Action Plan expenditures served 44,059 residents, 250 households, and generated 1,907 housing units, exceeding most annual targets for CDBG, HOME, ESG, and HOPWA funding for the program year.

4. Summary of Citizen Participation Process and consultation process

Summary from citizen participation section of plan.

[TO BE UPDATED AFTER PUBLIC COMMENT PERIOD].

5. Summary of public comments

This could be a brief narrative summary or reference an attached document from the Citizen Participation section of the Con Plan.

[TO BE UPDATED AFTER PUBLIC COMMENT PERIOD].

6. Summary of comments or views not accepted and the reasons for not accepting them

[TO BE UPDATED AFTER PUBLIC COMMENT PERIOD].

7. Summary

The needs are:

- Community development, economic development, and housing rehabilitation projects, including workforce housing in the communities that receive funding through the CDBG program;
- Financial and supportive assistance to persons living with HIV/AIDS to help with housing costs to prevent homelessness through the HOPWA program;
- New affordable housing, homebuyer, or rental assistance through the HOME program;

- Assistance for individuals experiencing homelessness, including funding for the operation and maintenance of emergency shelters through the ESG program; and
- Extremely low-income and very low-income units for persons and households with special needs, or who are homeless or at-risk of homelessness through the NHTF program.

In addition, the state continues to experience disaster-related needs, which are being addressed through the Community Development Block Grant Disaster Recovery and Community Development Block Grant Mitigation programs. More information on these programs is available on the Office of Long-Term Resiliency website: <https://floridajobs.org/community-planning-and-development/assistance-for-governments-and-organizations/disaster-recovery-initiative>.

PR-05 Lead & Responsible Agencies - 91.300(b)

1. Agency/entity responsible for preparing/administering the Consolidated Plan

The following are the agencies/entities responsible for preparing the Consolidated Plan and those responsible for administration of each grant program and funding source.

Agency Role	Name	Department/Agency
Lead Agency	Florida	Department of Economic Opportunity (DEO)
CDBG Administrator	Florida	Department of Economic Opportunity (DEO)
HOPWA Administrator	Florida	Department of Health (DOH)
HOME and HOME-ARP Administrator	Florida	Florida Housing Finance Corporation (FHFC)
ESG Administrator	Florida	Department of Children and Families (DCF)
HOPWA-C Administrator	Florida	Department of Health (DOH)
HTF Administrator	Florida	Florida Housing Finance Corporation (FHFC)

Table 1 – Responsible Agencies

Narrative

The following are the individual representatives for the above listed agencies:

Consolidated Plan Public Contact Information

Cheryl Urbas, DOH, HOPWA, cheryl.urbas@flhealth.gov

Nicole Gibson, FHFC, HOME, HOME-ARP and NHTF, nicole.gibson@floridahousing.org

Shaurita Jackson, DEO, Small Cities CDBG, cdbg@deo.myflorida.com

Tera Bivens, DCF, ESG, tera.bivens@myflfamilies.com

AP-10 Consultation - 91.110, 91.300(b); 91.315(l)

1. Introduction:

Provide a concise summary of the state's activities to enhance coordination between public and assisted housing providers and private and governmental health, mental health and service agencies

As part of the consolidated planning process, the state reached out to thousands of stakeholders statewide to communicate about the consolidated plan, process, and opportunities for participation. More than 200 stakeholders participated in a survey for the Consolidated Plan, which included a variety of housing providers, and health, mental health, and service agencies. Additional details are included in the Citizen Participation Appendix.

Ongoing efforts to enhance coordination among housing providers and service agencies occur through the state's existing "Link Strategy." Developers receiving financing through a number of Florida Housing Finance Corporation's affordable rental development programs must reserve a small portion of units for tenants referred by an approved supportive services referral agency working in the community where the property is located. Populations served through this strategy include persons at-risk of or currently experiencing homelessness and persons with special needs (including persons with disabilities, survivors of domestic violence, and youth aging out of foster care). Properties financed with NHTF program funding are required to implement this approach. FHFC is working with other state agencies to implement this strategy.

Describe coordination with the Continuum of Care and efforts to address the needs of homeless persons (particularly chronically homeless individuals and families, families with children, veterans, and unaccompanied youth) and persons at risk of homelessness

The HOPWA Program contractually requires each sub-recipient to designate a representative to participate in the local homelessness planning process and provide local homelessness advocates with information about HOPWA as needed.

The DCF Office on Homelessness works closely with 27 Continuums of Care (CoCs) to address the needs of different homeless populations throughout the state. The populations served include families with children, individuals with substance abuse or mental health needs, domestic violence survivors, chronically homeless, and youth exiting the foster care system. DCF's priorities continue to be families with children, youth exiting from foster care, unaccompanied homeless youth, youth with Department of Juvenile Justice (DJJ) involvement, and individuals with substance abuse and/or mental health concerns. For the purposes of this document, the term "unaccompanied youth" refers to a homeless youth who lacks fixed, regular, and adequate housing and who is not in the physical custody of a parent or guardian.

DEO, DCF, and FHFC sit on the Council on Homelessness along with a number of other state agencies and stakeholders to discuss homeless housing and service issues. FHFC uses its seat on the council to seek input on program ideas, including the use of Low Income Housing Tax Credits and state or HOME funding for permanent supportive housing developments to serve homeless persons, a “rapid re-housing” approach with short-term tenant-based rental assistance and the use of forgivable state loans in rural areas working with CoCs and/or homeless services providers to finance smaller, scattered site properties for chronically or situational homeless households. The Council provides an important opportunity to discuss how the FHFC can support the CoC work to serve homeless people throughout the state.

Describe consultation with the Continuum(s) of Care that serves the State in determining how to allocate ESG funds, develop performance standards for and evaluate outcomes of projects and activities assisted by ESG funds, and develop funding, policies and procedures for the operation and administration of HMIS

The DCF Office on Homelessness gathers input from CoCs and the Council on Homelessness regarding performance standards and outcome measures for all funding. This information is used in shaping the use of funds available to the HUD-designated CoC lead agencies. CoCs are encouraged to develop projects that meet the local needs of their communities and that align with federal regulations.

2. Agencies, groups, organizations and others who participated in the process and consultations

Table 2 – Agencies, groups, organizations who participated

1	Agency/Group/Organization	Department of Economic Opportunity (State of Florida)
	Agency/Group/Organization Type	Other government - State
	What section of the Plan was addressed by Consultation?	Housing Needs Assessment Market Analysis Strategic Plan and Action Plan
	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	Lead agency on the development of the Consolidated Plan; contributed to all elements of the plan and facilitated outreach to additional stakeholders.
2	Agency/Group/Organization	FLORIDA HOUSING FINANCE CORPORATION
	Agency/Group/Organization Type	Housing Services - Housing Other government - State
	What section of the Plan was addressed by Consultation?	Housing Needs Assessment Market Analysis Strategic Plan and Action Plan
	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	Contributed to all elements of the plan and facilitated outreach to additional stakeholders.
3	Agency/Group/Organization	Florida Department of Health-Central
	Agency/Group/Organization Type	Services-Persons with HIV/AIDS Other government - State
	What section of the Plan was addressed by Consultation?	Housing Needs Assessment Market Analysis Strategic Plan and Action Plan
	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	

4	Agency/Group/Organization	Florida Department of Children and Families
	Agency/Group/Organization Type	Services-Children Services-Homeless Other government - State
	What section of the Plan was addressed by Consultation?	Housing Needs Assessment Market Analysis Strategic Plan and Action Plan
	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	Contributed to all elements of the plan and facilitated outreach to additional stakeholders.
5	Agency/Group/Organization	Stakeholder Survey
	Agency/Group/Organization Type	A wide range of stakeholders from services, industries, and other providers
	What section of the Plan was addressed by Consultation?	Housing Needs Assessment Public Housing Needs Homelessness Strategy Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs - Veterans Homelessness Needs - Unaccompanied youth Non-Homeless Special Needs HOPWA Strategy Economic Development Market Analysis Anti-poverty Strategy
	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	Online survey conducted specifically for the Consolidated Plan including questions on current needs, market, conditions, goals, strategies, priorities, and institutional infrastructure. This survey had nearly 200 total stakeholder respondents.

Identify any Agency Types not consulted and provide rationale for not consulting

All relevant organizations and agencies were invited to participate in the process. DEO, FHFC, DCF, and DOH utilized electronic listserv notifications that reach more than 3,000 stakeholders and residents to encourage participation in the survey, virtual engagement site and public hearings.

Other local/regional/state/federal planning efforts considered when preparing the Plan

Name of Plan	Lead Organization	How do the goals of your Strategic Plan overlap with the goals of each plan?
Continuum of Care	N/A	CoCs and the State Office on Homelessness closely follow federal policy and work to align efforts in ending homelessness that match the federal strategic plan to end homelessness.
Local Comprehensive Plan	Department of Economic Opportunity	CDBG applications must include provisions from the local comprehensive plan demonstrating that the proposed activity is not inconsistent with the comprehensive plan.
CDBG Disaster Recovery Action Plans	Department of Economic Opportunity	CDBG-DR Action Plans for hurricanes Hermine, Matthew, Michael, and Irma are referenced as appropriate and align with strategic housing and redevelopment efforts covered in the Consolidated Plan.
Florida's Strategic Plan for Economic Development	Department of Economic Opportunity	Economic development goals align with strategic CDBG economic development goals.
Florida Housing Finance Corporation Strategic Plan	Florida Housing Finance Corporation	FHFC Strategic Plan aligns with HOME, including HOME-ARP, and NHTF affordable housing goals.
2019 Consolidated Annual Performance Evaluation Report	Department of Economic Opportunity	Strategic Plan goals build on the previous CAPER goals, but adapt and refine them to the current needs of the community.

Table 3 - Other local / regional / federal planning efforts

Narrative

None.

AP-12 Participation - 91.115, 91.300(c)

1. Summary of citizen participation process/Efforts made to broaden citizen participation Summarize citizen participation process and how it impacted goal-setting

Residents and stakeholders had many opportunities to participate in the development of the Consolidated Plan:

- Nearly 200 stakeholders participated in an online survey about housing and community development needs in areas where they work and live.
- Resident engagements were conducted online in the form of “Needs Assessment Forums” to encourage participation in the Consolidated Plan and Action Plan development. These online forums provide opportunities to inform the public about the process and gather resident and stakeholder perspectives on needs. The dedicated online engagement platform (<https://florida.housingimpactlab.com/>) was open for residents to participate from August 22, 2020, to September 30, 2020. A total of 27 residents/stakeholders participated in the engagement activities on the site.

Five public hearings were held on the Consolidated Plan, and were open to all residents and conducted online through a webinar format. These hearings were conducted on August 14, September 15, September 17, October 20, and October 28, 2020.

Add language specific to Action Plan Citizen Participation after the public comment period.

Citizen Participation Outreach

Sort Order	Mode of Outreach	Target of Outreach	Summary of response/ attendance	Summary of comments received	Summary of comments not accepted and reasons	URL (If applicable)
1	Public Meeting	Non-targeted/broad community		See Section AP-05 #5		

Table 4 – Citizen Participation Outreach

Expected Resources

AP-15 Expected Resources – 91.320(c)(1,2)

Introduction

The table below lists the resources anticipated to be available to assist the State in fulfilling its Annual action and five-year Consolidated Plan goals.

Anticipated Resources

Program	Source of Funds	Uses of Funds	Expected Amount Available Year 2				Expected Amount Available Remainder of ConPlan \$	Narrative Description
			Annual Allocation: \$	Program Income: \$	Prior Year Resources: \$	Total: \$		
CDBG	public - federal	Acquisition Admin and Planning Economic Development Housing Public Improvements Public Services	26,415,285	188,476	14,296,970	41,662,374	86,249,856	The annual allocation and any program income or prior year resources will be allocated to eligible CDBG categories per 24 CFR 570.200-570.207
HOME	public - federal	Acquisition Homebuyer assistance Homeowner rehab Multifamily rental new construction Multifamily rental rehab New construction for ownership TBRA	22,120,043	9,400,000	0	31,520,043	29,200,000	The annual allocation and any program income or prior year resources will be allocated to eligible HOME categories per 24 CFR 92

HOME-ARP	public - federal	Admin and planning Rental Housing TBRA	0	0	71,903,340	71,903,340	71,903,340	Funding available through the American Rescue Plan Act
HOPWA	public - federal	Permanent housing in facilities Permanent housing placement Short term or transitional housing facilities STRMU Supportive services TBRA	8,876,983	0	0	8,876,983	32,196,164	The annual allocation and any program income or prior year resources will be allocated to eligible HOPWA categories per 24 CFR 574
ESG	public - federal	Street Outreach Emergency shelter Rapid Re-housing Homelessness Prevention Admin HMIS Activities	5,960,758	0	0	5,960,758	17,882,274	The annual allocation and any program income or prior year resources will be allocated to eligible ESG categories per 24 CFR 576.101-576.107

HTF	public - federal	Acquisition Admin and Planning Homebuyer assistance Multifamily rental new construction Multifamily rental rehab New construction for ownership	37,274,870	0	0	37,274,870	30,000,000	The annual allocation will be allocated to eligible HTF categories per 24 CFR 93.
ESG-CV	Public-federal	Street Outreach Emergency shelter Rapid Re-housing Homelessness Prevention Admin HMIS Activities	NA	0	7,000,000	7,000,000	7,000,000	Funds for COVID response

Table 5 - Expected Resources – Priority Table

Explain how federal funds will leverage those additional resources (private, state and local funds), including a description of how matching requirements will be satisfied.

The CDBG Program requires matching funds for amounts expended on Administration in excess of \$100,000. CDBG match contributions are met with State trust fund dollars.

The HOME Program requires participating jurisdictions to provide match funds in an amount equal to no less than 25 percent of the total HOME funds drawn down for project costs. Match is a permanent contribution to affordable housing. However, match is not leveraging. Match is the participating jurisdiction’s contribution to the HOME Program the local, non-federal contribution to the partnership.

The match requirement for HOME-ARP was waived in the American Rescue Plan Act.

The federal ESG Program requires matching contributions to supplement the recipient's ESG program in an amount that equals the recipient's fiscal year grant for ESG. However, 24 CFR § 576.201 (a)(2) states that "If a recipient is a state, the first \$100,000 of the fiscal year grant is not required to be matched. However, the recipient must transfer the benefit of this exception to its subrecipients that are least capable of providing the recipient with matching contributions." DCF requires monthly reports from CoCs that outlines the matching contributions for expenditures. The types of acceptable matching contributions include cash contributions and noncash contributions such as the value of real property, equipment, goods and services contributed to the program. Match requirements do not apply to ESG-CV program funds.

Neither the federal nor the state HOPWA Programs require match contributions to be leveraged toward funding allocations.

The NHTF Program does not require matching funds; instead NHTF Program funds will be made available in tandem with other affordable financing, which may include Multifamily Mortgage Revenue Bonds, Low Income Housing Tax Credits, State Apartment Incentive Loan Program (SAIL) or HOME Investment Partnerships program funds, as part of a comprehensive annual funding plan adopted by FHFC's Board of Directors. NHTF Program funding will assist in creating financing opportunities with some or all the programs listed here to enable assisted units to serve more extremely low-income and very low-income residents than could be done by each program separately.

If appropriate, describe publically owned land or property located within the jurisdiction that may be used to address the needs identified in the plan.

Land owned by the local government can be used for leverage in the Small Cities CDBG program. In addition, land donated or provided at below market value to a developer receiving HOME funds will lower the overall cost of affordable housing development.

Discussion:

The anticipated resources expected to be allocated toward eligible HUD-funded program activities and projects will be used toward priority areas that have been identified by each funding program in the current planning years 2020-2024. Other resources available from other funding sources are encouraged to supplement HUD-funded activities.

Annual Goals and Objectives

AP-20 Annual Goals and Objectives – 91.320(c)(3)&(e)

Goals Summary Information

Sort Order	Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator
1	Economic Development	2020	2024	Non-Housing Community Development	STATEWIDE	Job Creation	CDBG: \$7,339,865	Jobs Created/Retained: 85
2	Commercial Revitalization	2020	2024	Non-Housing Community Development	STATEWIDE	Commercial Revitalization	CDBG: \$1,614,770	Public Facility or Infrastructure Activities other than Low/Moderate-Income Housing Benefit: 840 Persons Assisted
3	Housing Rehabilitation	2020	2024	Affordable Housing	STATEWIDE	Housing Rehabilitation Affordable Rental Housing Affordable Ownership Housing	CDBG: \$6,116,554	Homeowner Housing Rehabilitated: 105 Household Housing Units
4	Neighborhood Revitalization	2020	2024	Non-Housing Community Development	STATEWIDE	Neighborhood Revitalization	CDBG: \$9,395,027	Public Facility or Infrastructure Activities other than Low/Moderate-Income Housing Benefit: 5655 Persons Assisted
5	Emergency Shelter and Street Outreach	2022	2022	Homeless	STATEWIDE	Street Outreach to Homeless Persons and Emergency Shelters	ESG: \$3,576,454	Homeless Persons Assisted w/ Shelter: 2000
6	Permanent Housing for Homeless Persons	2022	2022	Affordable Housing	STATEWIDE	Homeless Prevention and Rapid Rehousing	ESG: \$2,384,304	Households Assisted: 1050

7	Rental and Homeownership Activities (CHDOs)	2020	2024	Affordable Housing	STATEWIDE	Affordable Rental Housing Affordable Ownership Housing	HOME: \$3,318,006	Other: 25 Household Housing Unit
8	Affordable Homeownership Housing	2020	2024	Affordable Housing	STATEWIDE	Affordable Ownership Housing	HOME: \$5,000,000	Homeowner Housing Added: 130 Household Housing Unit
9	Affordable Rental Housing	2020	2024	Affordable Housing Non-Homeless Special Needs	STATEWIDE	Affordable Rental Housing	HOME: \$11,590,032	Household Housing Unit: 100 Households Assisted Tenant-based rental assistance / Rapid Rehousing: 50 Households Assisted
10	Affordable Rental Housing for Extremely Low Income and very low-income Households	2020	2024	Affordable Housing Non-Homeless Special Needs	STATEWIDE	Affordable Rental Housing	HTF: \$37,274,870	Rental units constructed: 125 Household Housing Units

11	Housing and Supportive Services	2020	2024	Affordable Housing Non-Homeless Special Needs	STATEWIDE	Short Term Rent, Mortgage and Utility Payments Permanent Housing Placement Assistance Tenant Based Rental Assistance Resource identification services Housing information services Case management and other supportive services Short-term supported housing	HOPWA: \$8,876,983	Tenant-based rental assistance / Rapid Rehousing: 240 Households Assisted Homelessness Prevention: 1,500 Persons Assisted
12	Coronavirus Response and Recovery	2022	2022	Affordable Housing Public Housing Homeless	STATEWIDE	Street Outreach to Homeless Persons Emergency Shelters Homeless Prevention and Rapid Rehousing	ESG-CV: \$7,000,000	Homeless Persons Assisted w/Shelter: 4200 Households Assisted with Permanent Housing: 740

Table 5 – Goals Summary

Goal Descriptions

1	Goal Name	Economic Development
	Goal Description	Economic Development subgrants assist communities through the creation or retention of jobs primarily for persons from low- to-moderate-income households. An Economic Development project must meet a national objective by creating or retaining jobs of which at least 51 percent are for persons from low- to moderate-income households, or which meet the criteria contained in 24 CFR 570.483(b)(4)(iv) and (v), or by providing goods and services to an area with a primarily low- to moderate-income clientele.
2	Goal Name	Commercial Revitalization
	Goal Description	Commercial Revitalization activities are designed to revitalize commercial areas, which serve primarily low- and moderate-income persons, or to meet the National Objective of preventing or eliminating slum or blight. Goal outcome indicators not listed for commercial revitalization include parking improvements, streetscaping, public facilities, and building rehabilitation.
3	Goal Name	Housing Rehabilitation
	Goal Description	The primary objectives of the Housing Rehabilitation category are to improve housing conditions for low- and moderate-income persons, including workforce housing.
4	Goal Name	Neighborhood Revitalization
	Goal Description	The primary objective of the Neighborhood Revitalization category is to preserve and revitalize declining, primarily residential, low- and moderate-income service area neighborhoods by addressing the major infrastructure problems contributing to such decline. Neighborhood Revitalization grants assist communities with basic community development needs, including infrastructure, for low-income citizens in residential neighborhoods.

5	Goal Name	Emergency Shelter and Street Outreach
	Goal Description	The ESG Program funding will enable DCF to support the operation of emergency shelter facilities, including domestic violence facilities, throughout the state. The funds will also be used to assist unsheltered homeless individuals and families with locating an emergency shelter or housing, case management needs, transportation, emergency health services, and emergency mental health services in the respective CoCs throughout Florida. The programs will be carried out by local CoC lead agencies as a collaborative effort to coordinate area providers of service. In accordance with 24 CFR § 576.100(b), funding levels for both outreach and shelters shall not be more than 60 percent of ESG Program awards.
6	Goal Name	Permanent Housing for Homeless Persons
	Goal Description	The ESG Program goals will be carried out by local CoC lead agencies as a collaborative effort to coordinate area providers of service in accordance with local CoC Plans. Funding levels for permanent housing activities (homelessness prevention and rapid re-housing) will equal the balance of the ESG Program awards not used on Street Outreach, Emergency Shelter, HMIS and Administrative Costs. DCF's priorities continue to be families with children, youth exiting from foster care, unaccompanied homeless youth, youth with DJJ involvement, and individuals with substance abuse and/or mental health concerns.
7	Goal Name	Rental and Homeownership Activities (CHDOs)
	Goal Description	The HOME Program, administered by FHFC, allocates annual funding allocation to rental and homeownership activities sponsored by qualified Community Housing Development Organizations (CHDOs). The funding can be used for new construction, rehabilitation, rental assistance or down payment assistance activities.
8	Goal Name	Affordable Homeownership Housing
	Goal Description	The HOME Program funds affordable homeownership housing either through the RFA process or through a reservation process. Funding can be used for homebuyer assistance activities, such as down payment assistance and construction activities.
9	Goal Name	Affordable Rental Housing
	Goal Description	The HOME Program funds affordable rental housing for low income households through the RFA process. Funding can be used for activities such as construction, rehabilitation and rental assistance for low- and moderate-income households.

10	Goal Name	Affordable Rental Housing for Extremely Low Income and Very Low-Income
	Goal Description	The NHTF Program, administered by FHFC, funds affordable rental housing for extremely low income (ELI) and very low-income (VLI) households through the RFA process. Funding may be used for activities including construction, demolition, acquisition of real property, related soft costs and operating cost reserves funded with operating assistance.
11	Goal Name	Housing and Supportive Services
	Goal Description	The HOPWA Program, administered by DOH, funds activities carried out by the project sponsors throughout Florida, including financial assistance in the form of short-term rent, mortgage and utility (STRMU) payments; permanent housing placement assistance; tenant based rental assistance; resource identification services; housing information services; case management and other supportive services; short-term supported housing assistance; facility-based housing development and preservation; facility-based housing operations activities; transitional housing; and administrative services for persons living with HIV/AIDS.
12	Goal Name	Coronavirus Response and Recovery
	Goal Description	The remaining FY21 balance of ESGCV Program funding will enable DCF to support the operation of emergency shelter facilities, including domestic violence facilities, throughout the state, and provide permanent housing activities in FY22. The funds will also be used to assist unsheltered homeless individuals and families with locating an emergency shelter or housing, case management needs, transportation, emergency health services, and emergency mental health services in the respective CoCs throughout Florida. These ESG-CV funds will be used to prevent, prepare for, and respond to coronavirus among individuals and families who are homeless or receiving homeless assistance and to support additional homeless assistance and homelessness prevention activities to mitigate the impacts created by coronavirus.
13	Goal Name	Affordable Rental Housing
	Goal Description	The HOME-ARP Program funds affordable rental housing for qualifying populations through the competitive solicitation process. Funding can be used for activities such as new construction and rental assistance for qualifying populations identified in the American Rescue Plan Act.

AP-25 Allocation Priorities – 91.320(d)

Introduction:

The following chart reflects the planned percentage distribution of the FFY 2022 CDBG, ESG, HOME, NHTF, and HOPWA programs. Additionally, this section is a description of how the allocation distribution was determined and how the allocation distribution will address the priority needs and goals determined in the Strategic Plan portion of the Consolidated Plan.

Funding Allocation Priorities

Program	Goals													
	ED (%)	CR (%)	HR (%)	NR (%)	Emergency Shelter and Street Outreach (%)	Permanent Housing for Homeless Persons (%)	Rental and Homeownership Activities (CHDOs) (%)	Affordable Homeownership Housing (%)	Affordable Rental Housing (%)	Affordable Rental Housing for Extremely Low Income & Very Low Income (%)	Housing and Supportive Services (%)	Disaster Recovery (%)	Coronavirus Response and Recovery (%)	Total (%)
CDBG	30.4	6.6	25	38	0	0	0	0	0	0	0	0	0	100
HOME	0	0	0	0	0	0	15	25	60	0	0	0	0	100
HOPWA	0	0	0	0	10	0	0	0	0	0	90	0	0	100
ESG	0	0	0	0	60	40	0	0	0	0	0	0	0	100
HTF	0	0	0	0	0	0	0	0	0	100	0	0	0	100
ESGCV	0	0	0	0	0	0	0	0	0	0	0	0	100	100

Table 6 – Funding Allocation Priorities

Reason for Allocation Priorities

The percentages, described in the table above, place an emphasis or priority on the types of projects that will be funded for each of the five HUD-funded grant programs described in the 2020-2024 Consolidated Plan.

For the CDBG program, if the number of applications received are insufficient to fully utilize all funds allocated to a category, the balance of the funds in that category can be reallocated to another category receiving more applications than there are funds available. Grant category funding levels may be increased and/or decreased by reallocated funds.

Similarly, for the HOME Program, if the applications received are insufficient to fully utilize all funds allocated to a category, the balance of funds in that category may be reallocated to another category

receiving more applications than there are funds available. Funding in each category may be increased and/or decreased by reallocated funds.

FY 2021 HOME-ARP funds were allocated based upon a comprehensive needs assessment and analysis, consultation with key stakeholders, and public participation as required in the HUD HOME-ARP Allocation Plan. A copy of the HUD-approved Allocation Plan can be found on the FHFC website.

The allocation percentages for each individual grant program were determined based on the needs presented in the needs assessment section of the 2020-2024 Consolidated Plan, the comments and survey responses received during the citizen participation process conducted during the development of the Consolidated Plan and the NHTF Allocation Plan and applications received in the past. For the HOPWA Program, the types of housing and supportive services will be based on financial and programmatic requirements in accordance with HUD-eligible activities delivered by local project sponsors. For the ESG Program, the types of projects will be in accordance with HUD-eligible activities carried out by the local CoC lead agencies and administered by DCF.

How will the proposed distribution of funds will address the priority needs and specific objectives described in the Consolidated Plan?

Performance objectives for communities served by the CDBG program are entered into HUD's Integrated Disbursement Information System (IDIS) when awards are made, and the final accomplishments and beneficiaries are reported when projects are completed. The composite objectives of subgrantees comprise the state's overall objectives.

The CDBG program will address three primary objectives with its federal fiscal year (FFY) 2022 allocation:

1. Creating economic opportunities;
2. Creating a suitable living environment; and
3. Providing affordable housing, including workforce housing.

These objectives will result in four major outcomes:

1. Improve the local economy;
2. Reduce poverty through job creation;
3. Improve neighborhoods; and
4. Improve sustainability by providing suitable workforce housing and promoting viable communities.

In preparing their CDBG applications, local communities hold public meetings to determine their community's priority needs, and then prepare and submit an application for funding in one of the four funding categories. Therefore, specific performance objections can only be determined when the applications are received, scored, and a grant is awarded.

The ESG Program will address the below primary objectives with its FFY 2022 allocation:

1. Increase street outreach to homeless persons (especially unsheltered),
2. Ensure access to emergency or temporary shelters to homeless persons (especially families with children),

3. Increase the availability of homeless prevention services to persons and families at risk of homelessness;
4. Prioritize rapid rehousing assistance to individuals and families; and
5. Prioritize assistance to families with children, youth exiting from foster care, unaccompanied homeless youth, youth with DJJ involvement, and individuals with substance abuse and/or mental health concerns.

The HOME Program will address three primary objectives with its FFY 2022 allocation:

1. Increase rental through CHDOs for persons and families at, or below, 60 percent area median income (AMI),
2. Increase affordable rental housing activities through construction of new rental housing units or through tenant-based rental assistance for persons and families at or below 60 percent AMI, and
3. Increase affordable ownership housing activities through direct financial assistance to homebuyers at or below 80 percent AMI.

The State HOPWA Program will address three primary objectives with its FFY 2022 allocation:

1. Establish or better maintain a stable living environment.
2. Reduce the risk of homelessness among people living with HIV/AIDS and their families.
3. Transition homeless individuals or families into stable housing as well as create a strategy for long-term housing stability for persons living with HIV/AIDS.

The NHTF Program will address one primary objective with its allocation: to increase affordable rental housing activities for extremely low-income households, with a preference for those who are homeless, at risk of homelessness and/or have special needs.

The HOME-ARP program will address two primary objectives with its FY 2021 allocation:

1. The creation of new affordable rental units for qualifying populations, and
2. Availability of rental assistance for qualifying populations.

AP-30 Methods of Distribution – 91.320(d)&(k)

Introduction:

This section of the FFY 2022 Annual Action Plan describes how each annual allocation of CDBG, ESG, HOME, HOME-ARP, NHTF, and HOPWA program funds will be distributed geographically throughout Florida.

Distribution Methods

Table 7 - Distribution Methods by State Program

1	State Program Name:	Florida Emergency Solutions Grant Program
	Funding Sources:	ESG
	Describe the state program addressed by the Method of Distribution.	<p>The ESG Program is a formula grant program based upon the demographics of Florida’s counties and cities. DCF receives grant funds directly from HUD and will sub-grant the ESG funds to CoC lead agencies to carry out activities consistent with their local CoC Plans. Eligible program participants must meet the “homeless” definition in 24 CFR § 576.2. Rapid re-housing assistance program participants must also meet the requirements described in 24 CFR § 576.104. HUD established alternative requirements and waived section 415(a)(4) and (5) of the McKinney-Vento Homeless Assistance Act and 24 CFR 576.104 to the extent necessary to provide additional flexibility for recipients and subrecipients administering rapid re-housing assistance with ESG funds under the CARES Act. This waiver is provided in notice CPD-21-05 dated April 14, 2021 which also provides flexibility to habitability inspections.</p> <p>Lead agencies may sub-contract with local governments and nonprofits to provide ESG activities in their respective areas. Funding for local projects will be determined by the lead agencies and approved by DCF.</p>

<p>Describe all of the criteria that will be used to select applications and the relative importance of these criteria.</p>	<p>Grant applications in state FY19-20 were awarded on a three-year grant cycle. The award distribution follows guidelines set forth in the solicitation as described in previous years' action plans. Recurring funds may be made available based on factors including, but not limited to, the initial grant awards, poverty rates, unsheltered rates, number of homeless individuals, proposed activities, and the receipt of funding from HUD.</p>
<p>If only summary criteria were described, how can potential applicants access application manuals or other state publications describing the application criteria? (CDBG only)</p>	<p>Not applicable to ESG</p>
<p>Describe the process for awarding funds to state recipients and how the state will make its allocation available to units of general local government, and non-profit organizations, including community and faith-based organizations. (ESG only)</p>	<p>The ESG Program will receive a total allocation of \$5,960,758 in funding for federal fiscal year 2022. DCF will require local lead agencies follow 24 CFR § 576.100(b) and spend no more than 60 percent on Street Outreach and Emergency Shelter combined. Additionally, CoCs may spend no more than 5 percent of awarded ESG funds on administrative costs. The types of services funded include: Street Outreach, Emergency Shelter, Homelessness Prevention, Rapid Rehousing, and Homeless Management Information System costs among the 27 CoC lead agencies to provide services consistent with the CoC plans to address homelessness. The Office on Homelessness maintains for its administrative costs, the remaining balance allowed under 24 CFR 576.100 for the administration of ESG and the provision of technical assistance to service providers and local CoCs.</p>

<p>Identify the method of selecting project sponsors (including providing full access to grassroots faith-based and other community-based organizations). (HOPWA only)</p>	<p>Not applicable to ESG.</p>
<p>Describe how resources will be allocated among funding categories.</p>	<p>The ESG Program will receive a total allocation of \$5,960,758 in funding for federal fiscal year 2022. DCF will require local lead agencies follow 24 CFR § 576.100(b) and spend no more than 60 percent on Street Outreach and Emergency Shelter combined. Additionally, CoCs may spend no more than 5 percent of awarded funds on administrative costs. The types of services funded include: Street Outreach, Emergency Shelter, Homelessness Prevention, Rapid Rehousing, and Homeless Management Information System costs among the 27 CoC lead agencies to provide services consistent with the CoC plans to address homelessness. The Office on Homelessness maintains for its administrative costs, the remaining balance allowed under 24 CFR 576.100 for the administration of ESG and the provision of technical assistance to service providers and local CoCs.</p>
<p>Describe threshold factors and grant size limits.</p>	<p>The maximum award amount for any lead agency is \$400,000 with a maximum 5 percent administration budget. The lead agencies will plan and coordinate activities within their local area that are consistent with CoC plans. Sub-providers of services will be local governments and nonprofit organizations and their threshold funding amounts will be decided by the lead agencies and approved by the Office on Homelessness.</p>

	<p>What are the outcome measures expected as a result of the method of distribution?</p>	<p>The anticipated outcome measures for the ESG Program are based on the number of homeless service providers and shelters that receive funding assistance, the number of individuals who benefit from emergency shelter assistance, the number of individuals who receive rapid rehousing assistance, the number of individuals who maintain permanent housing and the number of individuals who are remain stably housed in incremental months after receiving assistance.</p>
2	<p>State Program Name:</p>	<p>Florida Emergency Solutions Grant Program - CV</p>
	<p>Funding Sources:</p>	<p>ESG-CV</p>

<p>Describe the state program addressed by the Method of Distribution.</p>	<p>The ESG Program is a formula grant program based upon the demographics of Florida’s counties and cities. DCF receives grant funds directly from HUD and subgrants the ESG funds to CoC designated lead agencies to carry out activities consistent with their local CoC Plans. Eligible beneficiaries must meet the “homeless” definition in 24 CFR § 576.2. Rapid re-housing assistance beneficiaries must also meet the requirements described in 24 CFR § 576.104. HUD released Notice: CPD-21-08 July 19, 2021 which supersedes the Notice CPD-20-08, published September 1, 2020 and reestablishes the allocation formula and amounts and reestablishes and announces new requirements for the \$3.96 billion in funding provided for the Emergency Solutions Grants Program (ESG) under the Coronavirus Aid, Relief, and Economic Security Act (CARES Act). These ESG-CV funds must be used to prevent, prepare for, and respond to coronavirus among individuals and families who are homeless or receiving homeless assistance and to support additional homeless assistance and homelessness prevention activities to mitigate the impacts created by coronavirus. Requirements at 24 CFR Part 576 will apply to the use of these funds, unless otherwise provided by the alternative requirements and flexibilities established under the CARES Act, this Notice, or subsequent waivers, amendments, or replacements to this Notice.</p> <p>Lead agencies may sub-contract with local governments and nonprofits to provide ESG activities in their respective areas. Funding for local projects will be determined by the lead agencies.</p>
<p>Describe all of the criteria that will be used to select applications and the relative importance of these criteria.</p>	<p>The award distribution follows guidelines set forth in the solicitation as described in previous years’ action plans.</p>

<p>If only summary criteria were described, how can potential applicants access application manuals or other state publications describing the application criteria? (CDBG only)</p>	<p>Not applicable to ESG-CV</p>
<p>Describe the process for awarding funds to state recipients and how the state will make its allocation available to units of general local government, and non-profit organizations, including community and faith-based organizations. (ESG only)</p>	<p>DCF will require CoC lead agencies to follow federal regulations and may spend no more than 7.5% percent of awarded funds on administrative costs. The types of services funded include Street Outreach, Emergency Shelter, Homelessness Prevention, Rapid Rehousing, and Homeless Management Information System costs as needed to respond to the housing needs stemming from the COVID-19 pandemic and providing funds for coronavirus response in homeless assistance and prevention services.</p>
<p>Identify the method of selecting project sponsors (including providing full access to grassroots faith-based and other community-based organizations). (HOPWA only)</p>	<p>Not applicable to ESG-CV</p>

<p>Describe how resources will be allocated among funding categories.</p>	<p>The ESG-CV Program received a total allocation of \$85,896,094 in funding for federal fiscal year 2021, and DCF anticipates an estimated balance of \$7,000,000 will be available for federal fiscal year 2022 to respond to the housing needs stemming from the COVID-19 pandemic and providing funds for coronavirus response in homeless assistance and prevention services. DCF will require local lead agencies follow federal regulations and spend no more than 7.5% of awarded funds on administrative costs. The types of services funded include Street Outreach, Emergency Shelter, Homelessness Prevention, Rapid Rehousing, and Homeless Management Information System costs among the 27 CoC agencies to provide services consistent with the CoC plans to address homelessness. The Office on Homelessness maintains for its administrative costs, 2.5% as allowed for the administration of ESG-CV and the provision of technical assistance to service providers and local CoCs.</p>
<p>Describe threshold factors and grant size limits.</p>	<p>From the fiscal year 2021 allocation of ESG-CV funds, the maximum award amount for any CoC lead agency was \$9,056,658 with a maximum 7.5 percent administration budget. The balance of funds from fiscal year 2021 may be carried over into FY 2022. The lead agencies will plan and coordinate activities within their local area that are consistent with CoC plans. Sub-providers of services may be local governments and nonprofit organizations and their threshold funding amounts will be decided by the lead agencies and approved by the Office on Homelessness.</p>

	<p>What are the outcome measures expected as a result of the method of distribution?</p>	<p>The anticipated outcome measures for the ESG-CV Program are based on the number of homeless service providers and shelters that receive funding assistance, the number of individuals who benefit from emergency shelter assistance, the number of individuals who receive rapid rehousing assistance, the number of individuals who maintain permanent housing and the number of individuals who are remain stably housed in incremental months after receiving assistance.</p>
3	<p>State Program Name:</p>	<p>Florida HOME Investment Partnership Program</p>
	<p>Funding Sources:</p>	<p>HOME</p>
	<p>Describe the state program addressed by the Method of Distribution.</p>	<p>HOME funds are allocated to provide necessary financial support for various activities, creating long-term affordable, safe, decent and sanitary housing for very low- and low-income persons and households. FHFC works with both the public and private sector throughout the state to assist in meeting the needs of affordable housing, particularly in rural areas when development capacity exists. FHFC distributes HOME funds either through a RFA process, a Request for Qualifications (RFQ) process, a reservation system, or demonstration projects.</p>
	<p>Describe all of the criteria that will be used to select applications and the relative importance of these criteria.</p>	<p>Application selection criteria for the HOME Program varies based upon the type of funding priority determined by FHFC for allocation distribution and amount of funding available to achieve funding priorities determined by FHFC. For example, scoring criteria for larger scale rental development priority projects would be based on level of experience of the applicant with implementation of HOME funds and Davis-Bacon federal requirements and the amount of funding available as leverage to the project. However, FHFC uses a different scoring criteria for smaller scale rural projects that are unable to provide leverage funds to a project and instead base priority funding projects by level of experience or need, and past project performance.</p>

<p>If only summary criteria were described, how can potential applicants access application manuals or other state publications describing the application criteria? (CDBG only)</p>	<p>Not applicable to HOME.</p>
<p>Describe the process for awarding funds to state recipients and how the state will make its allocation available to units of general local government, and non-profit organizations, including community and faith-based organizations. (ESG only)</p>	<p>Not applicable to HOME.</p>
<p>Identify the method of selecting project sponsors (including providing full access to grassroots faith-based and other community-based organizations). (HOPWA only)</p>	<p>Not applicable to HOME.</p>

<p>Describe how resources will be allocated among funding categories.</p>	<p>The HOME Program will receive a total allocation of \$22,120,043 in funding for FY 2022. Of the total funding allocation, 15% will be reserved for developments sponsored by qualified Community Housing Development Organization (CHDO) applicants. In the event insufficient applications meeting the threshold are received to allocate the anticipated amount to rental developments, the remaining unallocated funds may be shifted to homeownership activities. The same applies to homeownership activities, so the remaining unallocated funds may be shifted to rental activities. The remaining funds allocated will be awarded via the RFA/RFQ process or a reservation system based on the appropriate rule chapters, or through one or more demonstration projects that create affordable rental and homeownership opportunities through construction or rehabilitation of housing units or through direct homebuyer or rental assistance. Ten percent of the total annual allocation will be used by FHFC for administrative costs pursuant to 24 CFR § 92.207.</p>
<p>Describe threshold factors and grant size limits.</p>	<p>The grant size limits imposed by FHFC for the RFA/RFQ process(es) each year are based on the size of the project and the type of priority criteria scoring determined by FHFC HOME Program staff.</p>
<p>What are the outcome measures expected as a result of the method of distribution?</p>	<p>The HOME Program performance outcomes are based on how many affordable homeownership and rental housing units are constructed or rehabilitated and how many low- and moderate-income beneficiaries receive purchase assistance or rental assistance. In 2022, it is expected that the HOME Program will finance construction or rehabilitation of 255 affordable housing units- and rental assistance for affordable rental housing for 50 households.</p>

4	State Program Name:	Florida Housing Opportunities for Persons With AIDS (HOPWA) Grant Program
	Funding Sources:	HOPWA
	Describe the state program addressed by the Method of Distribution.	<p>The State HOPWA Program may receive a total allocation of \$8,876,983 in funding for fiscal year 2022. Of the total funding allocation, 97% of the grant award will be spent to benefit eligible persons whose income does not exceed 80 percent of the median family income for the area served. Eligible activities include rental payments, security deposits, and utility allowances to promote housing opportunities for persons living with HIV/AIDS. The remaining 3% of the funding will be spent on administrative activities carried out by DOH.</p> <p>DOH currently contracts with 10 project sponsors to administer the State HOPWA Program in designated geographic areas, the majority of which are rural. The state program provides funds for HOPWA services in 52 of Florida's 67 counties, which includes the eligible metropolitan statistical area (EMSA) re-designations administered by the state. The remaining 15 counties are served by six EMSAs that receive funding directly from HUD.</p>
	Describe all of the criteria that will be used to select applications and the relative importance of these criteria.	The priority of applications is determined by how many low- and moderate-income beneficiaries with HIV/AIDS will be served and the past performance of the project sponsor that is requesting funds.
If only summary criteria were described, how can potential applicants access application manuals or other state publications describing the application criteria? (CDBG only)	Not applicable to HOPWA.	

<p>Describe the process for awarding funds to state recipients and how the state will make its allocation available to units of general local government, and non-profit organizations, including community and faith-based organizations. (ESG only)</p>	<p>Not applicable to HOPWA.</p>
<p>Identify the method of selecting project sponsors (including providing full access to grassroots faith-based and other community-based organizations). (HOPWA only)</p>	<p>A minimum of 97% of the State HOPWA grant award will be allocated statewide to project sponsors to provide eligible services and activities for the state program. These project sponsors are local community organizations and county health departments. In order to ensure that the state pays a fair and reasonable price for the services to be provided and to enhance quality, availability and collaboration within the state housing program, DOH drafted a Request for Proposal for six years from 2016 to 2022 with renewals for up to three years.</p> <p>Funds were allocated within each geographical area in accordance with the methodology described above. EMSA funds re-designated to the State HOPWA Program will be administered by DOH in the same manner and for the same activities as the State HOPWA Program.</p> <p>The State HOPWA Program currently has five community-based organizations, three county health departments, and two planning councils as HOPWA project sponsors providing services either directly or via subcontracts.</p>

	<p>Describe how resources will be allocated among funding categories.</p> <p>Florida distributes funds annually based on the cumulative number of persons living with HIV or AIDS cases in the geographical service areas. In addition, allocations are based on utilization rates and available funds. The allocation methodology is reviewed periodically, and DOH takes recommendations into account while making final annual allocation decisions. The six EMSAs in the state that qualify for direct HOPWA funding from HUD may be eligible to receive State HOPWA Program funds only when funds exist beyond the amount required to meet 100% of the need of the state program service areas.</p>
	<p>Describe threshold factors and grant size limits.</p> <p>The State HOPWA Program does not require specific threshold factors or grant size limits for annual allocation distribution to project sponsors. Instead, the program determines annual allocation amounts based on budgets submitted by the project sponsors, and the percentage of beneficiaries anticipated to be served by the grant funded projects and activities. The State HOPWA Program makes the final funding allocation determination based on the feasibility of the project sponsor’s budget proposal and amount of funding available to be distributed statewide.</p>
	<p>What are the outcome measures expected as a result of the method of distribution?</p> <p>The anticipated outcome measures for the State HOPWA Program are based on the number of persons with HIV/AIDS that receive financial assistance from project sponsors in the form of short-term rent, mortgage, and utility (STRMU) payments, tenant-based rental assistance (TBRA), permanent housing placement (PHP), short-term transitional assistance, resource identification, comprehensive housing case management and other supportive services, and other eligible housing services as per the State HOPWA Program goals and priorities.</p>
5	<p>State Program Name: Florida Small Cities Community Development Block Grant Program</p> <p>Funding Sources: CDBG</p>

<p>Describe the state program addressed by the Method of Distribution.</p>	<p>DEO receives an annual allocation from HUD to administer the Small Cities CDBG program. DEO publishes a Notice of Funding Availability (NOFA) in the Florida Administrative Register prior to the opening of the annual funding cycle. This NOFA informs Florida residents of the availability of CDBG funding, the amount of funding available, the program categories under which they can apply, and the opening and closing date of the funding cycle.</p> <p>When DEO receives notification of the annual allocation, the Small Cities CDBG Planning Manager reviews the allocation and makes recommendations for funding based on previous allocations and distributions, expected application submissions, and DEO priorities. The recommendations are then reviewed by the Small Cities and Rural Communities Bureau Chief, and are approved or revised.</p> <p>Deobligated funds and program income funds sometimes become available during the federal fiscal year. If emergency set-aside funds, deobligated funds, and/or program income funds become available, the Planning Manager and Bureau Chief meet to determine how to allocate these funds.</p> <p>Neighborhood Revitalization, Housing Rehabilitation, and Commercial Revitalization subgrants are awarded on a competitive basis. Economic Development subgrants are awarded on a competitive basis if the CDBG program receives more funding requests than there are funds available. Otherwise, eligible economic development projects are awarded on a first-come, first-served basis.</p>
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<p>Describe all of the criteria that will be used to select applications and the relative importance of these criteria.</p>	<p>The funding categories for the CDBG program are established by state law. The percentage of funds allocated for each category are determined based on public meetings, comments received on the Consolidated Plan and the Annual Action Plan, and past funding experience. The percentage of funds allocated to each category may be revised to ensure state compliance with HUD requirements for the timely award of funds. The criteria used for reviewing funding applications are outlined in federal regulations, state statutes, the program’s administrative rules and application manual, and the Consolidated Plan.</p> <p>Upon receipt of an application, an initial review is conducted to determine if threshold criteria have been met. This review is used as a screening method to ensure compliance with minimum application requirements and to ensure that applications from communities that are not in compliance with federal or state laws are not funded. Seven specific criteria established in Section 290.0475, Florida Statutes, establish the basis upon which DEO may reject an application without regard to scoring:</p> <ol style="list-style-type: none"> (1) The application is not received by the department by the application deadline; (2) The proposed project does not meet one of the three national objectives as contained in federal and state legislation; (3) The proposed project is not an eligible activity as contained in the federal legislation; (4) The application is not consistent with the local government’s comprehensive plan adopted pursuant to s. <u>163.3184</u>; (5) The applicant has an open community development block grant, except as provided in ¹s. <u>290.046(2)(b)</u> and (c) and department rules; (6) The local government is not in compliance with the citizen participation requirements prescribed in ss. 104(a)(1) and (2) and 106(d)(5)(c) of Title I of the Housing and
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	<p>Community Development Act of 1974, s. <u>290.046(4)</u>, and department rules; or</p> <p>(7) Any information provided in the application that affects eligibility or scoring is found to have been misrepresented, and the information is not a mathematical error which may be discovered and corrected by readily computing available numbers or formulas provided in the application.</p> <p>DEO does not award a grant until it has determined, based upon a site visit, that the project and/or activities are eligible in accordance with the description contained in the application, and that any open economic development grant is on time. If DEO determines after an application site-visit that any information in the application that affects scoring has been misrepresented, the application is rejected.</p>
<p>If only summary criteria were described, how can potential applicants access application manuals or other state publications describing the application criteria? (CDBG only)</p>	<p>The CDBG program is established in Sections 290.0401 through 290.048, F.S., and administered through Chapter 73C-23, Florida Administrative Code (F.A.C.). The statute and administrative code contain guidelines for who can apply for CDBG funding, the application process, and how the applications are scored and ranked. The CDBG application form, which is incorporated into the administrative rule by reference, gives the specific scoring criteria for the Economic Development, Neighborhood Revitalization, Housing Rehabilitation, and Commercial Revitalization applications. Information to be included in the application can be found on the HUD website, the Florida DEO website, and generated during the application process. The application form can be downloaded from DEO’s CDBG webpage: www.FloridaJobs.org/CDBGApplicantInfo.</p>

<p>Describe the process for awarding funds to state recipients and how the state will make its allocation available to units of general local government, and non-profit organizations, including community and faith-based organizations. (ESG only)</p>	<p>Not applicable to CDBG.</p>
<p>Identify the method of selecting project sponsors (including providing full access to grassroots faith-based and other community-based organizations). (HOPWA only)</p>	<p>Not applicable to CDBG.</p>
<p>Describe how resources will be allocated among funding categories.</p>	<p>Funding amounts are assigned to each funding category based on a need evaluation. For example, CDBG staff may determine that there is a higher demand and need for a particular category of projects throughout the state. These types of determinations are made based on the amount of applications that were received, but left unfunded from the prior federal fiscal year. The remaining funding categories would be assigned percentages based on the number of applications submitted in the prior funding cycle, and based on the goals and objectives that were chosen as priority needs and goals from the needs assessment and market analysis sections of the 2020-2024 Consolidated Plan.</p>

	<p>Describe threshold factors and grant size limits.</p>	<p>The local governments’ low- and moderate-income (LMI) population determines the maximum amount of funds for which they can apply. Population groupings are based on HUD-modified census figures summarizing low- and moderate-income population as shown in the following chart:</p> <p>LMI Population Subgrant Ceiling</p> <ul style="list-style-type: none"> • 1 – 499: \$600,000 • 500 – 1,249: \$650,000 • 1,250 – 3,999: \$700,000 • 4,000 – and above: \$750,000 <p>Economic Development subgrants: \$1.5 million</p>
	<p>What are the outcome measures expected as a result of the method of distribution?</p>	<p>The anticipated outcome measures for the CDBG program are based on the number and type of applications received from eligible sub-grantees in the four eligible categories (neighborhood revitalization, commercial revitalization, housing rehabilitation, and economic development). Outcome measures for these programs include the number of housing units rehabilitated; number of linear feet of sewer lines, water lines, and street paving and sidewalks completed; number of buildings receiving façade improvements; number of low- to moderate-income beneficiaries; and number of jobs created or retained.</p>
6	<p>State Program Name:</p>	<p>National Housing Trust Fund Program</p>
	<p>Funding Sources:</p>	<p>HTF</p>
	<p>Describe the state program addressed by the Method of Distribution.</p>	<p>HTF funds will be used in tandem with other financing programs to provide necessary financial support to create new, 30-year affordable rental housing for extremely low-income and very low-income households. FHFC will allocate HTF funds through an RFA process directly to eligible recipients.</p>

<p>Describe all of the criteria that will be used to select applications and the relative importance of these criteria.</p>	<p>The criteria listed below have all been deemed of equal relative importance.</p> <ul style="list-style-type: none"> • The development must be permanent rental housing and each NHTF-designated unit may have no more than two bedrooms; • The NHTF-designated units must remain affordable to extremely low-income and very low-income households through a Land Use Restriction Agreement for no less than 30 years, and the development must remain affordable at designated income levels for a minimum of 30 years; • The applicant must certify that it understands that by receiving NHTF funds, it commits to set aside the required number of units in its property for the priority households specified in this plan; • The applicant must show via its developer experience its ability to obligate NHTF funds and undertake eligible activities in a timely manner; • A description of the eligible activities to be conducted with the NHTF funds; • Extent to which the application makes use of non-federal funding sources; • Certification that applicant will comply with the requirements of the NHTF program and that housing units assisted with the NHTF will comply with NHTF requirements; • Be familiar with the requirements of other federal, state or local housing programs that will be used in conjunction with NHTF funds to ensure compliance with all applicable requirements and regulations of such programs through demonstrated experience with developing, owning and managing affordable multifamily rental housing developments; • To provide a Tenant Selection Plan during credit underwriting to carry out management practices related to leasing to homeless households or persons with special needs;
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	<ul style="list-style-type: none"> • Participate in the state’s “Link Strategy” which requires applicants awarded financing to work with at least one Special Needs Household Referral Agency working in that county that will refer eligible homeless, at-risk homeless or special needs households for residency in the NHTF-financed units; • Meet specified green building and accessibility standards; • Propose developments in locations that are proximate to public transportation options and amenities such as grocery stores and pharmacies; and • Accept the Tenant Application and Selection Requirements designed to lower barriers to entry for extremely low-income and very low-income households.
<p>If only summary criteria were described, how can potential applicants access application manuals or other state publications describing the application criteria? (CDBG only)</p>	<p>Not applicable to NHTF.</p>
<p>Describe the process for awarding funds to state recipients and how the state will make its allocation available to units of general local government, and non-profit organizations, including community and faith-based organizations. (ESG only)</p>	<p>Not applicable to NHTF.</p>

<p>Identify the method of selecting project sponsors (including providing full access to grassroots faith-based and other community-based organizations). (HOPWA only)</p>	<p>Not applicable to NHTF.</p>
<p>Describe how resources will be allocated among funding categories.</p>	<p>Ninety percent of the NHTF allocation will be used to finance affordable rental units for extremely low-income and very low-income households, and 10 percent of the allocation will be used by FHFC for administrative costs pursuant to § 93.202.</p>
<p>Describe threshold factors and grant size limits.</p>	<p>Pursuant to § 91.320(k)(5) and § 93.300(a), funding limits are based on maximum per-unit development subsidy amounts specified by FHFC and the portion of units that will be required to be set aside in a larger property to serve the populations targeted through the NHTF Program. For example, if four units out of 100 total units must be set aside for this purpose, the grant size limit will be based on the per-unit limit multiplied by four. FHFC has specified per-unit limits by unit mix (zero, one and two bedrooms); based on construction type (e.g., garden-style wood, high rise, etc.) and for three geographic cost regions of the state. While a development may have a mix of unit sizes and bedrooms, NHTF units with more than two bedrooms will be prohibited.</p>

	What are the outcome measures expected as a result of the method of distribution?	In 2021, it is expected that the NHTF program will assist in financing construction of 125 affordable rental units to serve extremely low-income and very low-income residents.
6	State Program Name:	HOME-ARP Program
	Funding Sources:	American Rescue Plan
	Describe the state program addressed by the Method of Distribution.	HOME-ARP funds will be used in tandem with other financing programs to provide necessary financial support to create new affordable rental housing for qualifying populations FHFC will allocate funds through new and existing solicitations. Additionally, FHFC will utilize HOME-ARP funds to expand existing TBRA programs.
	Describe all of the criteria that will be used to select applications and the relative importance of these criteria.	Application selection criteria varies depending on numerous criteria including funding available and paired resources. For example, scoring criteria for larger scale rental development priority projects would be based on level of experience of the applicant with implementation of HOME funds and Davis-Bacon federal requirements, where FHFC may uses different scoring criteria for projects where HOME-ARP is a smaller part of the funding mix. Additionally, the methods for selecting applications and awarding funds would be different for TBRA projects.
	If only summary criteria were described, how can potential applicants access application manuals or other state publications describing the application criteria? (CDBG only)	Not applicable to HOME-ARP.

<p>Describe the process for awarding funds to state recipients and how the state will make its allocation available to units of general local government, and non-profit organizations, including community and faith-based organizations. (ESG only)</p>	<p>Not applicable to HOME-ARP.</p>
<p>Identify the method of selecting project sponsors (including providing full access to grassroots faith-based and other community-based organizations). (HOPWA only)</p>	<p>Not applicable to HOME-ARP.</p>
<p>Describe how resources will be allocated among funding categories.</p>	<p>FHFC intends to allocate 86.9 percent of the HOME-ARP allocation to finance affordable rental units for qualifying populations, 7.0 percent to TBRA, and 6.1 percent of the allocation will be used by FHFC for administrative costs.</p>
<p>Describe threshold factors and grant size limits.</p>	<p>HUD guidance provided encourages participating jurisdictions to use HOME-ARP funds in tandem with other financing programs to provide necessary financial support when creating new affordable rental housing. FHFC anticipates using existing and new RFAs and approaches to create these new affordable rental housing solutions. Through this multifaceted approach, the number of HOME-ARP funded units and grant size will vary across communities based upon need and the ability to combine HOME-ARP with other resources to support developments.</p>
<p>What are the outcome measures expected as a result of the method of distribution?</p>	<p>FHFC expects the HOME-ARP program will assist in financing construction of 480 affordable rental units from the FY 2021 allocation to serve qualifying populations.</p>

Discussion:

In conclusion, the distribution methods in place for each of the HUD-funded grant programs described previously are aligned with the current federal regulations and HUD-issued guidance and are standard for each applicable annual allocation cycle. The distribution methods for all administered grant programs in the state are based on several factors, including both geography and demographics.

- The CDBG program bases allocation distribution methods on the eligible grantees who submit competitive scored applications that are awarded based on score and eligible project readiness.
- The ESG Program determines its allocation methodology using a competitive grant application that is scored based on the CoC's capacity to perform the services and the proposed activities to those who meet the definition of homeless or are at risk of homelessness. Recurring funds may be made available based on factors including, but not limited to, the initial grant awards, poverty rates, unsheltered rates, number of homeless individuals, proposed activities, and the receipt of funding from HUD.
- The HOPWA Program bases allocation distribution on the amount of funding available and the proportion of persons living with HIV/AIDS within the project sponsor areas.
- The NHTF Program bases allocation methods on a RFA process to ensure that over time, properties assisted with NHTF funds will be geographically dispersed throughout the state, but allocated only to experienced, qualified applicants that meet specific criteria to ensure that a high-quality development is built and then offers opportunities for residency to extremely low-income and very low-income populations that will be served with this funding.
- The HOME-ARP Program determines allocation awards by evaluating applicants' ability to serve qualifying populations and meet criteria set forth in the respective solicitations to either create new affordable housing units or provide tenant-based rental assistance for the intended households.

AP-35 Projects – (Optional)

Introduction:

The CDBG, ESG and HOPWA Programs do not provide money to specific projects. Each program allows eligible grantees to select new or continuation projects to apply their awarded funds toward, if the projects meet all grant program eligibility requirements and goals aligned with the Consolidated Plan.

HOME for rental developments are selected through a statewide RFA process. HOME-ARP funds are prioritized to further address the needs of the HOME Rental Program and Tenant Based Rental Assistance Program as described below. (HOME-ARP guidance provided by HUD does differ slightly from the federal regulations as it relates to CHDO set-aside requirements and matching requirements.) Eligible housing providers (nonprofits, for-profit developers, local governments, public housing authorities and CHDOs) are encouraged to apply for HOME funding. There are three primary criteria applicants must demonstrate: (1) ability to proceed with construction or rehabilitation; (2) experience in developing affordable housing; and (3) ability to leverage HOME funds.

The HOME Rental Program offers funds to eligible housing providers for the acquisition, rehabilitation, new construction, conversion of non-residential units to residential units and reconstruction of multifamily housing. HOME funds may be the primary source of financing or may bridge the gap between the development's primary financing and the total development costs. At least 15 percent of the annual allocation is set-aside for CHDO developments with the remaining funds being allocated to CHDO and other developments depending on the ranking.

HOME funds for homeownership fall under FHFC's Homeownership Pool (HOP) Program, under Rule 67-57, F.A.C., and is designed to be a non-competitive and on-going program with developers reserving funds for eligible homebuyers to provide purchase assistance on a first-come, first-served basis.

The HOP Program is available to nonprofit and for-profit organizations and the United States Department of Agriculture - Rural Development (USDA-RD).

HOME funds are used to provide financial support to families of low- to moderate-incomes with down payment and closing costs assistance up to the amounts stipulated in the HUD regulations. These funds require repayment if the homebuyer ceases to occupy the property as their primary residence during the affordability period, sells or transfer ownership or rents the property. Repayments are re-invested in the HOME program.

Tenant-Based Rental Assistance (TBRA) provides Public Housing Authorities (PHAs) who administer the HUD Section 8 Housing Choice Voucher Program with HOME TBRA funds to assist their local residents as these PHAs have a staggering wait list of potential applicants for housing.

NHTF Program developments will be selected through a statewide RFA process. Eligible applicants

(including nonprofit and for-profit developers and public housing authorities) will apply for NHTF funding in tandem with other primary affordable financing, e.g., Low Income Housing Tax Credits. This program will only offer financing for new construction of multifamily rental properties. NHTF funds will assist in bridging the gap between a development’s primary financing and its total development costs.

For information on CDBG-DR projects and priorities, please see the CDBG-DR Action Plans on the DEO Office of Disaster Recovery website (<https://floridajobs.org/community-planning-and-development/assistance-for-governments-and-organizations/disaster-recovery-initiative>).

#	Project Name

Table 9 – Project Information

Describe the reasons for allocation priorities and any obstacles to addressing underserved needs

Please see AP-25.

AP-38 Project Summary
Project Summary Information

AP-40 Section 108 Loan Guarantee – 91.320(k)(1)(iii)

Will the state help non-entitlement units of general local government to apply for Section 108 loan funds?

Yes. The state may help local non-entitlement units of local government apply for Section 108 loan funds *if* the local government can demonstrate a feasible and practical use of funds in compliance with program requirements. Use of CDBG funds to guarantee a Section 108 loan is not often considered to be practical based on the limited availability of CDBG funds and the significant needs of the many non-entitlement local units of government.

Available Grant Amounts

The maximum amount of an individual loan guarantee commitment that an eligible local government may receive is \$5 million.

Acceptance process of applications

The Section 108 loan guarantee application review and approval process is outlined below:

(1) Eligibility.

(a) Municipalities and counties on the U.S. Department of Housing and Urban Development’s (HUD) list of non-entitlement local governments in Florida are eligible to apply for Section 108 loans guaranteed by the state of Florida’s current and future Small Cities Community Development Block Grant allocations.

(b) Any project proposed for funding through the Small Cities Community Development Block Grant Loan Guarantee Program must be located within the jurisdictional boundaries of the non-entitlement local government that is applying for the loan.

(c) Section 108 loan requests must meet one of the three National Objectives to be eligible for consideration.

(2) Application Process.

(a) Eligible non-entitlement local governments seeking assistance through the Small Cities Community Development Block Grant Loan Guarantee Program may apply at any time during the year. The following application process must be followed:

1. The non-entitlement local government completes the Section 108 Pre-Application Questionnaire, Form SC-58, <http://www.flrules.org/Gateway/reference.asp?No=Ref-05349>; effective date: April 2015, which is hereby adopted and incorporated by reference, and submits it to DEO for review.

2. Following DEO's review and acceptance of the local government's responses to the Section 108 Pre-Application Questionnaire [sic], the local government requests a screening meeting with DEO. The meeting is held to determine if the proposed project meets all program requirements.
3. If DEO determines that the project is eligible for further consideration, the local government is invited to submit an loan request that contains the information required in [42 USC 5308](#), effective [sic] date: February 3, 2015, which is available at <http://uscode.house.gov/view.xhtml?req=granuleid:USC-prelim-title42-section5308&num=0&edition=prelim>, and which is incorporated herein by reference and [24 CFR part 570](#), subpart M. The local government must provide documentation to DEO that it has met the Citizen Participation requirements detailed in paragraph [73C- 23.0041\(1\)](#), F.A.C., with the exception that it only has to provide a project summary and draft budget at the second public hearing.

Please see the Grantee Unique Appendix for the complete response.

AP-45 Community Revitalization Strategies – 91.320(k)(1)(ii)&(iii)

Will the state allow units of general local government to carry out community revitalization strategies?

No.

State’s Process and Criteria for approving local government revitalization strategies

Not applicable.

AP-50 Geographic Distribution – 91.320(f)

Description of the geographic areas of the state (including areas of low-income and minority concentration) where assistance will be directed.

CDBG: The Florida Small Cities CDBG program does not allocate funding resources geographically. Instead, each year a NOFA is published inviting eligible non-entitlement municipalities and counties to submit an application for funding consideration. There are four program areas: Economic Development, Housing Rehabilitation, Neighborhood Revitalization, and Commercial Revitalization.

Before submitting an application, the local government must conduct a public hearing to receive input on what the community considers its highest priority need. Based on this information, the local government selects a project for funding and prepares an application for one of the four program areas. The local government must hold a second public hearing to inform the community of the proposed application and to seek public comment prior to submitting the application to DEO. CDBG staff review the applications received in each program category and rank them from the highest to the lowest score. Funding is awarded from the highest to the lowest ranked application until there are no funds available.

Allowing the local governments to establish their priority need based on the above described process is beneficial to CDBG subgrantees. It allows DEO to be more flexible in funding projects that are responsive to a local community's changing needs.

ESG. The ESG Program is a formula grant program based upon the demographics of Florida's counties and cities. DCF receives the grant funds directly from HUD and subgrants the ESG funds to units of general-purpose local government and/or non-profit organizations. Eligible program participants must meet the applicable definitions in 24 CFR 576.2. Rapid re-housing assistance program participants must also meet the requirements described in 24 CFR 576.104. All local government and non-profit recipients must consult with the CoCs operating within their jurisdiction before determining how ESG funds are allocated.

Please see the Grantee Unique Appendix for the complete response.

Geographic Distribution

Target Area	Percentage of Funds
STATEWIDE	100

Table 8 - Geographic Distribution

Rationale for the priorities for allocating investments geographically

The programs administered by the DOH, DCF, FHFC, and DEO are statewide. Rationale for geographic allocation is discussed by program in the previous response.

Discussion:

Please see above.

Affordable Housing

AP-55 Affordable Housing – 24 CFR 91.320(g)

Introduction:

All of the federal funded grant programs described in the 2020-2024 Consolidated Plan (CDBG, HOME, HOME-ARP, ESG, NHTF and HOPWA) have strategies to achieve affordable housing goals each year. The CDBG program supports affordable housing by providing funds for rehabilitation, or demolition and reconstruction, of housing units. The HOME Program addresses affordable housing for low- and very low-income households by providing rehabilitation, reconstruction, new construction and rental assistance activities. The ESG Program supports affordable housing by providing rapid re-housing assistance to homeless individuals and families. The HOPWA Program supports affordable housing by providing housing opportunities to persons living with HIV/AIDS. This includes adhering to Fair Market Rents (FMR) and rent reasonableness. The HOME and ESG Programs set affordable housing goals to achieve each federal fiscal year. The CDBG program bases their accomplishments on the number of beneficiaries served with housing rehabilitation funds each application cycle. The NHTF and HOME-ARP Programs will work in tandem with other affordable housing programs to finance new units for extremely low-income and very low-income residents.

One Year Goals for the Number of Households to be Supported	
Homeless	70
Non-Homeless	712
Special-Needs	34
Total	816

Table 9 - One Year Goals for Affordable Housing by Support Requirement

One Year Goals for the Number of Households Supported Through	
Rental Assistance	325
The Production of New Units	240
Rehab of Existing Units	145
Acquisition of Existing Units	0
Total	710

Table 10 - One Year Goals for Affordable Housing by Support Type

Discussion:

In conclusion, Affordable Housing continues to be a top priority for HUD-funded grant programs in the state based on the needs of various populations. All goals, objectives, and strategies to expand Affordable Housing efforts in each of the grant programs described throughout this Annual Action Plan align with the 2020-2024 Consolidated Plan and will be implemented in accordance with the allocation distribution methods described in the previous sections of this document.

AP-60 Public Housing - 24 CFR 91.320(j)

Introduction:

The CDBG, ESG and HOPWA programs do not allocate direct funding to Public Housing Agencies (PHAs), nor are they eligible to support competitive applications to request funding from any of the programs. FHFC contracts with certain PHAs to administer tenant-based rental assistance with HOME funds and PHAs may be eligible to apply for rental development funding through a RFA process. There are direct grant funding programs and initiatives available through the U.S. Department of Housing and Urban Development Office of Public and Indian Housing for PHAs who demonstrate good performance standing and are not designated as troubled based on low monitoring and performance scores. PHAs determined to have high performance records are eligible to receive direct funding in order to implement rental assistance and affordable housing programs such as Section 8 project-based rental assistance and voucher programs.

Actions planned during the next year to address the needs to public housing:

- Provide the tools and education necessary for public housing residents to seek self-sufficiency.
- Provide job training programs for public residents to maintain full-time employment.
- Provide rent disincentives to encourage public housing residents to budget finances properly.
- Create networking opportunities for public housing residents to work with after they no longer need assistance.

Actions to encourage public housing residents to become more involved in management and participate in homeownership:

- Provide the tools and education necessary for public housing residents to move toward the goal of self-sufficiency.
- Provide job training programs for public residents to maintain full-time employment.
- Provide rent disincentives to encourage public housing residents to budget finances properly.
- Create networking opportunities for public housing residents to work with after they no longer need assistance

If the PHA is designated as troubled, describe the manner in which financial assistance will be

provided or other assistance

N/A.

Discussion:

None.

AP-65 Homeless and Other Special Needs Activities – 91.320(h)

Introduction:

DCF, through the ESG Program, provides funding for activities such as emergency shelters, street outreach, homeless prevention, and rapid re-housing for homeless persons throughout Florida. Each of the funding categories have eligible activities that can be implemented with ESG funding to achieve annual goals and objectives.

DOH, through the HOPWA Program, provides funding for short-term transitional and short-term and long-term housing activities for persons living with HIV/AIDS.

FHFC, through the NHTF Program, will provide funding for permanent rental housing to serve households that are homeless or at risk of homelessness and/or have special needs, with property managers required to work with approved supportive service providers to seek these tenants. Additionally, homeless households are served indirectly through the HOME TBRA Program and as a HUD-identified qualifying population of the HOME-ARP Program.

The above federal funding programs described in the 2020-2024 Consolidated Plan target specific segments of the special needs population in Florida, but the CDBG Program do not directly fund special needs populations.

Describe the jurisdictions one-year goals and actions for reducing and ending homelessness including.

Reaching out to homeless persons (especially unsheltered persons) and assessing their individual needs.

DCF contracts with the 27 CoC lead agencies throughout Florida to create and implement outreach strategies that are specific to their community's needs. Case managers assess housing and service needs of this population, and arrange, coordinate, and monitor the delivery of services to meet individual needs. Unsheltered persons are engaged through street outreach for the purpose of providing immediate support, intervention, and connections to programs, social services, and housing. Individuals engaged in street outreach may be provided case management, emergency health services, emergency mental health services, and transportation to emergency shelters or other service facilities.

Additionally, DCF administers the Hope Florida – A Pathway to Prosperity that helps customers achieve economic independence. This program mobilizes care navigators to assist Floridians in identifying goals and removing barriers to economic self-sufficiency through partnerships with community-based organizations. Individuals and families utilize these services to resolve immediate needs such as housing, food assistance, and employment. The program has now provided family-centered assistance to more than 25,000 Floridians to help them achieve economic sufficiency.

Addressing the emergency shelter and transitional housing needs of homeless persons.

DCF contracts with the 27 CoC lead agencies throughout Florida to create and implement housing needs that are specific to their community's needs. In accordance with 24 CFR § 576.100(b), DCF will allocate up to 60 percent of the annual ESG award to the emergency shelter and street outreach components, a portion of this will fund services, maintenance and operation of emergency shelters. ESG cannot fund transitional housing.

Other projects addressing the transitional housing needs of people experiencing homelessness will be up for renewal in the CoC Notice of Funding Availability (NOFA) for 2022.

To meet the safe shelter needs for victims of domestic violence, Florida provides more than \$31 million in state and federal grants to support 42 domestic violence centers, providing over 39,000 emergency shelter nights of care. State revenue sources provide more than \$12 million of the funding for these emergency shelters.

Helping homeless persons (especially chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth) make the transition to permanent housing and independent living, including shortening the period of time that individuals and families experience homelessness, facilitating access for homeless individuals and families to affordable housing units, and preventing individuals and families who were recently homeless from becoming homeless again.

The ESG Program works with the 27 CoCs and their homeless service providers to provide the numbers and reasons for their respective jurisdiction's homeless population in relation to determining needs of homeless persons, including outreach, shelter, prevention services, and housing. ESG priority needs (as noted in Section AP-25) include street outreach, emergency shelter, homelessness prevention services and rapid rehousing. Up to sixty percent of ESG funds may be used for street outreach and shelter, while the remaining (excluding Administration and HMIS costs) is expected to be used for permanent housing solutions, including rapid rehousing and homelessness prevention. To address the needs of homeless persons within a jurisdiction, the CoC agencies must provide current and concrete data to ensure that the appropriate amount of funding, depending on funding allocation availability, is distributed properly among the eligible grant categories. The CoC agencies are also responsible for creating strategies and providing services to homeless persons within their jurisdiction that promote self-sufficiency and access to permanent housing options.

The CoC agencies within Florida implement a variety of programs that provide services to specific segments of the homeless populations including chronically homeless individuals and families, families with children, veterans and their families and homeless youth. The ESG Program provides funds directly to CoC lead agencies for operation and maintenance of emergency shelters, as well as for rapid rehousing. Other programs can include street outreach, job training, housing counseling and other similar programs. To supplement federal program funding CoC agencies and their homeless services

providers seek other funding sources available through public- and private-sector resources to implement their strategies to assist in promoting the transition into permanent housing and avoidance of being homeless once again. Specific strategies to promote self-sufficiency and transition out of homelessness include mental health and housing counseling services, job training, transitional housing with supportive services and permanent housing with temporary supportive services.

Homeless persons will also be assisted with the transition into permanent housing as a result of the creation of extremely affordable units set aside for homeless persons integrated into larger general occupancy through the NHTF and HOME-ARP Programs. Tenants for these units will be referred by providers such as CoC agencies and other providers serving homeless persons.

Helping low-income individuals and families avoid becoming homeless, especially extremely low-income individuals and families and those who are: being discharged from publicly funded institutions and systems of care (such as health care facilities, mental health facilities, foster care and other youth facilities, and corrections programs and institutions); or, receiving assistance from public or private agencies that address housing, health, social services, employment, education, or youth needs.

There are a number of private nonprofit housing and supportive housing service providers throughout Florida that specifically assist individuals and families with low- and extremely low-incomes and implement strategies to avoid homelessness. The NHTF and HOME-ARP Programs will provide additional opportunities for these providers to work with properties to transition persons being discharged from various facilities, programs and institutions to affordable, independent housing integrated into the community and with service supports from the referring supportive services provider and partners. FHFC has committed a portion of its HOME-ARP funding to a pilot program that seeks to provide housing opportunities for individuals that meet the qualifying populations that are also high utilizers of publicly funded behavioral health programs. NHTF dollars are included in multiple RFAs that have a certain percentage of units set aside for individuals experiencing homelessness or those with disabling conditions as described above.

Many public housing authorities also implement programs and strategies for their clientele to receive the necessary support system to avoid becoming homeless and help them to achieve self-sufficiency. In regard to the state of Florida's efforts to assist in funding strategies and initiatives for this particular segment of the population, FHFC works with public housing authorities and other housing and supportive housing services to identify at-risk individuals or families within the homeless population (extremely low-income or zero-negative income) and monitor their need for public services such as sufficient housing, healthcare, social services, employment, education and youth needs. Additionally, the ESG program offers homelessness prevention services to assist individuals and families from becoming homeless.

Discussion:

Please see above.

AP-70 HOPWA Goals – 91.320(k)(4)

One year goals for the number of households to be provided housing through the use of HOPWA for:	
Short-term rent, mortgage, and utility assistance to prevent homelessness of the individual or family	1,055
Tenant-based rental assistance	240
Units provided in permanent housing facilities developed, leased, or operated with HOPWA funds	0
Units provided in transitional short-term housing facilities developed, leased, or operated with HOPWA funds	205
Total	1,500

AP-75 Barriers to affordable housing – 91.320(i)

Introduction:

The Shimberg Center for Housing Studies' 2022 Rental Market Study documents a substantial increase in Florida's rental stock between 2000 and 2017; however, the Study also shows a projected decline in affordable rental stock in the coming decade—particularly units renting for less than \$1,000 per month. There are both market and policy barriers to affordable housing that contribute to the shortage of affordable housing statewide, including the high cost of new construction, limited funding to subsidize affordable housing development, land use regulations, and neighborhood opposition to affordable development.

- Affordable housing is in poor condition (7.6/10)
- Landlords requiring 3x rent in monthly income (7.2/10)
- Excessively high security deposits/first and last month rent requirements (7.1/10)
- Loss of low-cost or market rate affordable housing due to revitalization/redevelopment (6.5/10)
- NIMBYism/community opposition or resistance to development by neighbors (6.3/10)
- Overly restrictive local land use and zoning regulations that limit development of affordable housing (5.9/10)
- Local growth limitations that limit the development of affordable housing (5.6/10)
- Lack of land zoned for affordable modest density development (5.4/10)
- Lack of land zoned for multifamily development (5.2/10)
- State law that limits inclusionary zoning requirements (5.1/10)
- State regulations governing evictions of renters (5.1/10)

As part of the stakeholder survey conducted for the Consolidated Plan, Florida stakeholders were asked to identify barriers to fair housing choice. Top barriers related to affordability that were identified by stakeholders included the following statements: [Numbers in parentheses indicate average level of severity reported by stakeholders on a scale from 1 to 10 where 1 is “not a fair housing barrier” and 10 is “a very serious fair housing barrier.”]

These barriers either prohibit or drive the cost of housing development that might otherwise have the potential to provide affordable units to those who need it. Challenges to addressing the barriers as identified by respondents include lack of funding for subsidies, Not in my back yard (NIMBYism), enforcement challenges, lack of transition assistance, especially for families, and limited access to public transportation, especially in rural or less urban areas where land prices may be less.

Actions it planned to remove or ameliorate the negative effects of public policies that serve as barriers to affordable housing such as land use controls, tax policies affecting land, zoning ordinances, building codes, fees and charges, growth limitations, and policies affecting the

return on residential investment.

Though many of the barriers identified previously are outside the purview of DEO, DOH, DCF and FHFC, these agencies will continue to allocate federal and state resources to affordable housing including housing rehabilitation, emergency shelter and transitional housing, permanent housing for people experiencing homelessness, housing services, rental and homeownership activities through Community Housing Development Organizations, and the new construction of affordable housing.

Discussion:

Please see above.

AP-85 Other Actions – 91.320(j)

Introduction:

In this section of the Annual Action Plan we will examine the additional actions, if any, that will be developed and implemented by each of the HUD-funded state agencies for the purpose of expanding outreach to areas of Florida that have been identified as underserved or have specific obstacles that must be addressed with program funding.

Actions planned to address obstacles to meeting underserved needs

DEO administers the CDBG program, which serves the needs of the states non-entitlement local governments through the grants that are awarded. Applications that are submitted by these local governments are based on comments received at local public hearings that allow citizens to identify their priority community needs and submit eligible projects for funding consideration.

The statutorily-created State Council on Homelessness, a statewide workgroup of members that include members of multiple statewide partner coalitions and representatives from various state agencies (including DCF, DEO, DOH, and FHFC) will continue to convene.

DCF administers the ESG Program and collaborates directly with Florida’s 27 CoC lead agencies to identify areas with high concentrations of underserved homeless populations and use the information collected to update and implement strategies to overcome obstacles identified. The ESG Program provides direct funding to the CoC lead agencies in the categories of emergency shelter, street outreach activities and permanent housing services.

FHFC administers the HOME, HOME-ARP and NHTF, which also serves on the Council on Homelessness and provides two important ways local governments and emerging nonprofits can learn more about and receive support on, affordable housing development issues. The Affordable Housing Catalyst Program provides training and technical assistance on federal and state affordable housing programs to local governments and nonprofit housing providers. FHFC contracts with a nonprofit technical assistance provider for this service. The Predevelopment Loan Program provides revolving loan funds to emerging nonprofits and PHAs interested in housing development and redevelopment. The program provides predevelopment loan funding to get a project started and technical assistance at no cost to the organization. Additionally, FHFC completed a statewide assessment of housing for homeless and special needs populations to determine the affordable housing and supportive housing needs from while also completing a financial modeling exercise to determine the costs of providing such housing.

Actions planned to foster and maintain affordable housing

The CDBG program does not fund affordable housing projects, but does provide grants for housing rehabilitation projects. Funded projects allow homeowners to remain in their homes and maintain the affordability of their homes. This also builds on Florida’s strategy to create and maintain affordable

options for its workforce.

The HOME Program provides program funding to produce and rehabilitate housing units for affordable homeownership and rental housing opportunities for low- and moderate-income working households addressing long-term affordability. Along with the HOME Program, FHFC uses a variety of other resources to provide affordable housing financing.

The HOME-ARP Program was designed to address the need for homelessness assistance. The first eligible use of funds identified was the development and support of affordable housing. Based upon the comprehensive statewide needs assessment discussed earlier in this Plan, FHFC has committed to using HOME-ARP funding to create new affordable housing solutions in Florida as well as ensure households have access to rental assistance to maintain housing stability.

The goal of the NHTF Program is used in tandem with other affordable financing to add new units to the supply of decent, affordable rental units for ELI and VLI households in Florida.

The goals of the State HOPWA Program are to increase housing stability, and to improve the quality of life for clients and their families. The State HOPWA Program achieves these goals by setting annual performance outcomes in the form of estimates of beneficiaries served, and of housing and supportive services provided.

Actions planned to reduce lead-based paint hazards:

Florida recognizes the relationship between health and lead poisoning, especially the risk it poses to children. The Florida Department of Health website provides a list of ways to prevent lead-based paint exposure, they include:

- Determining the construction year of the house or dwelling where a child spends a large amount of time (e.g., grandparents or daycare);
- Considering testing the home for lead-based paint and dust by an Environmental Protection Agency (EPA) certified lead risk assessor or inspector;
- Making sure the child does not have access to chipping, peeling, or chalking paint or chewable surfaces painted with lead-based paint;
- Creating barriers between living/play areas and lead sources;
- Ensuring children and pregnant women should not be present during renovation in housing built before 1978; and
- Considering renovation or repair work on a pre-1978 home, be sure to follow the EPA Lead- Safe Guide to Renovate Right.

The Florida Department of Health encourages the RRP Rule when considering renovations on any pre-1978 home. Also, the mission of Florida's Healthy Homes & Lead Poisoning Prevention Program

(FHHLPPP) is to protect the health and cognitive development of all children living in Florida by eliminating childhood exposure to all lead hazards.

The Florida Small Cities CDBG and the HOME programs require all applications for housing rehabilitation projects to determine the age of the house. Any home that was constructed before January 1, 1978, must be tested for lead-based paint and appropriate measures must be undertaken to safely remove and dispose of the paint in accordance with HUD requirements.

Actions planned to reduce the number of poverty-level families:

Florida recognizes the relationship between health and lead poisoning, especially the risk it poses to children. The Florida Department of Health website provides a list of ways to prevent lead-based paint exposure, they include:

- Determining the construction year of the house or dwelling where a child spends a large amount of time (e.g., grandparents or daycare);
- Considering testing the home for lead-based paint and dust by an Environmental Protection Agency (EPA) certified lead risk assessor or inspector;
- Making sure the child does not have access to chipping, peeling, or chalking paint or chewable surfaces painted with lead-based paint;
- Creating barriers between living/play areas and lead sources;
- Ensuring children and pregnant women should not be present during renovation in housing built before 1978; and
- Considering renovation or repair work on a pre-1978 home, be sure to follow the EPA Lead- Safe Guide to Renovate Right.

The Florida Department of Health encourages the RRP Rule when considering renovations on any pre-1978 home. Also, the mission of Florida's Healthy Homes & Lead Poisoning Prevention Program (FHHLPPP) is to protect the health and cognitive development of all children living in Florida by eliminating childhood exposure to all lead hazards.

The Florida Small Cities CDBG and the HOME programs require all applications for housing rehabilitation projects to determine the age of the house. Any home that was constructed before January 1, 1978, must be tested for lead-based paint and appropriate measures must be undertaken to safely remove and dispose of the paint in accordance with HUD requirements.

Actions planned to develop institutional structure

Grantor agencies are constantly creating new innovative strategies to address gaps in their delivery systems. Some traditional examples of strategies being used are to leverage funds from other eligible grant programs or initiatives with existing allocations, provide more technical assistance funding to enhance outreach, and create spending caps on specific eligible categories to ensure that the funding

dollars are being properly distributed. These traditional strategies are not always effective, but they are the most commonly used because of their practicality. More innovative strategies include using technology, such as social surveys and social media devices, to constantly monitor the changing population in order to adjust their outreach and delivery methods to meet the priority needs of the community.

Actions planned to enhance coordination between public and private housing and social service agencies

Through the state's existing "Link Strategy," developers receiving finances through a number of FHFC's affordable rental development programs must reserve a small portion of units for tenants referred by an approved supportive services agency working in the community where the property is located. Populations served through this strategy include homeless persons and persons with special needs (including persons with disabilities, survivors of domestic violence and youth aging out of foster care). Properties financed with NHTF Program funding will also be required to implement this approach, with the addition of those at risk of homelessness being able to be served. FHFC is working with other state agencies to implement this strategy.

Discussion:

Please see above.

Program Specific Requirements

AP-90 Program Specific Requirements – 91.320(k)(1,2,3)

Introduction:

The CDBG program anticipates receiving \$118,476 in program income this year. The program will not receive any proceeds from Section 108 loan guarantees, and there are no urban renewal settlements, lines of credit, or float-funded activities.

Community Development Block Grant Program (CDBG) Reference 24 CFR 91.320(k)(1)

Projects planned with all CDBG funds expected to be available during the year are identified in the Projects Table. The following identifies program income that is available for use that is included in projects to be carried out.

1. The total amount of program income that will have been received before the start of the next program year and that has not yet been reprogrammed	118,476
2. The amount of proceeds from section 108 loan guarantees that will be used during the year to address the priority needs and specific objectives identified in the grantee's strategic plan	0
3. The amount of surplus funds from urban renewal settlements	0
4. The amount of any grant funds returned to the line of credit for which the planned use has not been included in a prior statement or plan.	0
5. The amount of income from float-funded activities	0
Total Program Income	118,476

Other CDBG Requirements

1. The amount of urgent need activities	0
2. The estimated percentage of CDBG funds that will be used for activities that benefit persons of low-and moderate-income	70.05%

HOME Investment Partnership Program (HOME) Reference 24 CFR 91.320(k)(2)

1. A description of other forms of investment being used beyond those identified in Section 92.205 is

as follows:

FHFC does not use any other forms of investment with HOME Program funds other than those described in 24 CFR § 92.205(b).

2. A description of the guidelines that will be used for resale or recapture of HOME funds when used for homebuyer activities as required in 92.254, is as follows:

Funds that are loaned to an eligible borrower in conjunction with the Homeownership Loan Program competitive cycle and the Homeownership Pool Program will conform to the following guidelines:

- A. At the time of purchase, the initial buyer must satisfy the two following criteria:
 - 1. Must be a low-income family (have an income of 80 percent or less of the median income for the area), and
 - 2. Must occupy the acquired property as the principal residence.

HOME-assisted units shall comply with the purchase price limitation requirements in CFR 24 §

92.254. Eligible homebuyers can receive a zero percent interest rate, deferred payment, subordinate mortgage loan. Repayment of the loan, in accordance with these recapture provisions, is expected if (1) the borrower sells, transfers, or disposes of the assisted unit (either by sale transfer, bankruptcy, foreclosure, or the like), (2) the borrower or a co-borrower dies, and as a result title to the property is transferred to a non-borrower, or (3) the loan matures.

3. A description of the guidelines for resale or recapture that ensures the affordability of units acquired with HOME funds? See 24 CFR 92.254(a)(4) are as follows:

FHFC utilizes option (ii) under 24 CFR § 92.254(a)(5)(ii), as its method of recapturing HOME Program funds under any Homebuyer Program the state administers. Resale is not currently utilized. If resale is to be used in the future, the plan will be amended.

A. FHFC will recapture the entire amount of the HOME Investment in the property. If the sale of the unit does not have sufficient proceeds to cover the original HOME investment, the amount recaptured will be the net proceeds (i.e., the sales price minus superior loan repayment, other than HOME funds and closing costs). This method of recapture will be identified in the down payment assistance documents which include a homebuyer agreement with FHFC, promissory note and recorded subordinate mortgage.

Period of Affordability

The recapture provisions are in effect for a period of affordability. This period is based on the

amount of direct HOME subsidy to the buyer, as follows:

Amount of HOME funds that were direct subsidy to buyer Period of affordability

Under \$15,000 5 years

\$15,000 to \$40,000 10 years

Over \$40,000 15 years

Principal Residency

The initial buyer must reside in the home as his/her principal residence for the duration of the period of affordability.

Triggering Recapture of HOME funds

If, during the period of affordability, an owner voluntarily or involuntarily transfers his/her property (e.g., through a sale or foreclosure), these recapture provisions go into effect.

The amount subject to recapture is the direct HOME subsidy.

The direct HOME subsidy is the total amount of HOME assistance that enables the buyer to purchase the unit, including a down payment, closing cost assistance and the amount that reduces the purchase price from fair market value to an affordable price.

FHFC can never recapture more than the amount of available net proceeds upon sale. Net proceeds are the sales price of the home minus superior loan repayment (not including HOME loans) and any closing costs.

Noncompliance

During the affordability period, noncompliance occurs when an owner vacates the unit or rents the unit to another household, or sells or transfers the home without FHFC receiving recaptured funds due at time of sale. In the event of noncompliance, the owner is subject to repay any outstanding HOME funds invested in the housing. Repayment is based on the total amount of HOME funds invested, including both development funds and direct subsidy to the buyer minus any principal HOME loan repayments

4. Plans for using HOME funds to refinance existing debt secured by multifamily housing that is rehabilitated with HOME funds along with a description of the refinancing guidelines required that will be used under 24 CFR 92.206(b), are as follows:

FHFC has no plans to utilize this financing structure.

Emergency Solutions Grant (ESG) Reference 91.320(k)(3)

1. Include written standards for providing ESG assistance (may include as attachment)

In accordance with federal rule to state recipients, the Department of Children and Families (DCF) shall require the local grantees to establish and implement the written standards required under 24 CFR § 576.400(e)(2). The local grantees shall establish their written standards, and submit them to the DCF for review and approval. The approval by DCF is required prior to the execution of the grant agreement with the local grantee.

The responsibility for CoCs to establish the written standards to the local grantee is consistent with Florida's statutes. In accordance with section 420.624, Florida Statutes, homeless services are intended to be tailored to the unique needs of each community. The homeless planning shall be done at the community level, as is the delivery of services and housing to those in need.

As the ESG recipient, and in accordance with 24 CFR § 578.7, DCF will require CoCs to consult with the Department on establishing and consistently following written standards for providing CoC assistance. All such standards shall be consistent with the provisions specified in 24 CFR § 576.400.

Required Written Standards

- a. Standard policies and procedures for evaluating individuals' and families' eligibility for assistance under the ESG.

Minimum Standards: (1) Consistency with the definition of homeless and at-risk homeless set forth in 24 CFR § 576.2; (2) The record keeping requirements in 24 CFR § 576.500 (b)-(e).

DCF's Limitation: Local recipients shall not use the risk factor for homelessness allowed under 24 CFR § 576.2 related to an individual, who "otherwise lives in housing that has characteristics associated with instability and an increased risk of homelessness."

- b. Standards for targeting and providing essential services related to street outreach activities.
- c. Policies and procedures for admission, diversion, referral and discharge by emergency shelters assisted under ESG. This must include standards regarding length of stay, if any, and safeguards to meet the safety and shelter needs of special populations, such as victims of domestic violence. Such standards shall also address the individuals and families who have the highest barriers to housing and are likely to be homeless the longest.
- d. Policies and procedures for assessing, prioritizing and reassessing individuals' and families' needs for essential services related to emergency shelter.
- e. Policies and procedures for coordination among emergency shelter providers, essential services providers, homelessness prevention, and rapid re-housing assistance providers; other homeless assistance providers; and mainstream service and housing providers.
- f. Policies and procedures for determining and prioritizing which eligible families and individuals will receive homelessness prevention assistance and which eligible families and individuals will receive rapid re-housing assistance.

- g. Standards for determining what percentage or amount of rent and utilities costs each program participant must pay while receiving homelessness prevention or rapid re-housing assistance.
- h. Standards for determining how long a particular program participant will be provided with rental assistance and whether and how the amount of that assistance will be adjusted over time.
- i. Standards for determining the type, amount, and duration of housing stabilization and/or relocation services to provide to a program participant, including the limits, if any, on the homelessness prevention or rapid re-housing assistance that each program participant may receive, such as the maximum amount of assistance, maximum number of months the program participant receive assistance; or the maximum number of times the program participant may receive assistance.
- j. Policies and procedures for coordination among homeless service providers, as well as mainstream service and housing providers.

DCF's priorities continue to be families with children, youth exiting from foster care, unaccompanied homeless youth, youth with DJJ involvement, and individuals with substance abuse and/or mental health concerns.

2. If the Continuum of Care has established centralized or coordinated assessment system that meets HUD requirements, describe that centralized or coordinated assessment system.

DCF contracts with 27 CoC lead agencies, covering 64 of Florida's 67 counties. Each CoC establishes and maintains their own coordinated entry system that adheres to HUD requirements outlined in 24 CFR § 578.7.

As the ESG recipient, and in accordance with 24 CFR § 578.7, DCF shall require all CoCs to consult with the Department in establishing and operating a centralized or coordinated assessment system. and CoC lead agencies to submit in their grant proposal, a certification that the applying agency is using the CoC's assessment system. Victim service providers may choose not to use the continuum's coordinated assessment system. If so, the victim service provider shall document this decision in writing.

3. Identify the process for making sub-awards and describe how the ESG allocation available to private nonprofit organizations (including community and faith-based organizations).

In 2019, DCF competitively awarded multi-year grants for the ESG program for the following activities:

- a. Emergency Shelters;
- b. Street outreach;
- c. Homelessness Prevention; and
- d. Rapid re-housing.

DCF made funds available to local CoC lead agencies in the state through a competitive solicitation process. The solicitation detailed the grant application requirements and allowed CoC lead agencies

to sub-contract to local governments and nonprofit direct service providers to carry-out programs consistent with CoC Plans. DCF published the solicitation using the state of Florida's Vendor Bid System that provided the dates for the submission of grant proposals. Submitted proposals underwent a completeness review to identify missing information that was required. Applicants were provided an opportunity to provide the missing information prior to the evaluation of the application. Applications were evaluated according to capacity and performance criteria, which served as a recommendation to the DCF's Secretary in making the grant award decision. Recurring funds may be made available based on factors including, but not limited to, the initial grant awards, poverty rates, unsheltered rates, number of homeless individuals, proposed activities, and the receipt of funding from HUD.

DCF will require local lead agencies follow 24 CFR § 576.100(b) and spend no more than 60 percent on Street Outreach and Emergency Shelter combined. Additionally, CoCs may spend no more than 5 percent of awarded funds on administrative costs. The types of services funded include: Street Outreach, Emergency Shelter, Homelessness Prevention, Rapid Rehousing, and Homeless Management Information System costs among the 27 CoC lead agencies to provide services consistent with the CoC plans to address homelessness. CoC lead agencies were responsible for determining, with the approval of the Office on Homelessness, the funding for subawards to local governmental agencies and nonprofit organizations.

DCF reserves the right to make awards at levels consistent with community needs and may grant awards to entitlement and non-entitlement jurisdictions, while prioritizing its grant awards to applicants that will carry out the grant funded activities in the non-entitlement jurisdictions in the state.

4. If the jurisdiction is unable to meet the homeless participation requirement in 24 CFR 576.405(a), the jurisdiction must specify its plan for reaching out to and consulting with homeless or formerly homeless individuals in considering policies and funding decisions regarding facilities and services funded under ESG.

24 CFR 576.405(a) excludes DCF as a state recipient from this requirement.

5. Describe performance standards for evaluating ESG.

Emergency Shelter Performance Goals:

1. Reduction in the unsheltered homeless population of the CoC area.
2. Reduction in the recipients' average length of stay for clients served in the shelter.
3. Percentage increase of persons exiting the shelter who transition to permanent housing.
4. Percentage increase of persons exiting the shelter who leave with employment income.
5. Percentage decrease of persons who exit and return to homelessness within three months.

Street Outreach Performance Goals:

1. Percentage increase of clients assessed who are successfully placed in housing.

2. Reduction in the number of unsheltered homeless persons in the CoC area.
3. Reduction in the average length of time of a person's homeless episode in the CoC area.
4. Percentage increase of clients assisted who were able to receive mainstream benefits, like Economic Self-Sufficiency (ESS) Program benefits.

Prevention and rapid re-housing Performance Goals:

1. Reduction in the number of households with children who are homeless in the CoC area, or reduction in the number of unaccompanied youth in the CoC area.
2. Increase in the proportion of the participants served that remained in permanent housing six months following the last assistance provided under the grant.

Housing Trust Fund (HTF)
Reference 24 CFR 91.320(k)(5)

1. How will the grantee distribute its HTF funds? Select all that apply:

Applications submitted by eligible recipients

2. If distributing HTF funds through grants to subgrantees, describe the method for distributing HTF funds through grants to subgrantees and how those funds will be made available to state agencies and/or units of general local government. If not distributing funds through grants to subgrantees, enter "N/A".

N/A

3. If distributing HTF funds by selecting applications submitted by eligible recipients,

a. Describe the eligibility requirements for recipients of HTF funds (as defined in 24 CFR § 93.2). If not distributing funds by selecting applications submitted by eligible recipients, enter "N/A".

All applicants must meet specific mandatory items to be eligible for scoring. Not providing these requirements or providing them incorrectly will cause the application to be ineligible for funding. For RFAs that include NHTF funding, applicants must, in summary, meet the following threshold requirements in addition to the NHTF criteria described:

- submission requirements, such as meeting the application deadline, submitting all required forms and paying the application fee, if there is one;
- completion of all required items in the application and submitting all required forms such as those showing local government signatures on availability of appropriate zoning and infrastructure;
- showing evidence of site control;
- meeting all funding requirements, such as not requesting funding over limits imposed in the RFA;
- submitting financing information, public and private funding commitments and a development cost pro forma and construction/permanent financing analysis;
- not be in financial arrearage in any existing property; meet minimum scores on any scored items in the RFA, if specified (scoring discussed below); and

- a multi-page certification signed by the applicant that includes the certifications described above in addition to others related to meeting the requirements of the RFA.

In partial summary, a certification and/or acknowledgement of the following:

- due dates for items to be submitted in credit underwriting if awarded financing;
- that all building codes, including Fair Housing Act, ADA and other required codes will be met;
- that the applicant’s commitments will be included in a land use restriction agreement and, if applicable, an extended use agreement;
- that all required construction features, including green building requirements as specified in the RFA, will be addressed;
- that resident services programs committed to in credit underwriting will be implemented;
- that a memorandum of understanding with a supportive services referral agency under the state’s “Link Strategy” will be executed and implemented and tenant selection plan will be developed and implemented that includes income and credit strategies recognizing that the extremely low-income households to be served may have credit, income, criminal and rental histories that may be a barrier to tenancy at the property;
- that all financial requirements specified in the RFA will be met;
- that the third party information required for the RFA has been reviewed by the applicant and is accurate; and
- Cooperation with all audits.

b. Describe the grantee’s application requirements for eligible recipients to apply for HTF funds. If not distributing funds by selecting applications submitted by eligible recipients, enter “N/A”.

In addition to applicable rules, statutes and RFA criteria, applications for funding submitted by eligible applicants will be reviewed according to the following NHTF criteria:

- provision of a description of the eligible activities to be conducted with HTF funds;
- the extent to which the application makes use of non-federal funding sources;
- certification that the applicant understands that by receiving HTF funds they commit to set aside the required number of units in its property for the priority households of the HTF program and certify they will comply with the requirements of the HFT program and that the housing units will comply with HTF requirements; and
- demonstrate their ability to obligate HTF funds and their experience and financial capacity to undertake, comply with and conduct eligible HTF activities and undertake HTF activities in a timely manner.

Additionally, with the exception of developments that mainly serve persons with special needs where the provision of supportive services is incorporated into a broader permanent supportive housing

strategy, applicants for funding for general occupancy properties that include NHTF units will be eligible for NHTF funding if they commit to participate in the state’s “Link Strategy,” which requires applicants awarded financing to work with at least one Special Needs Household Referral Agency working in that county that will refer eligible homeless, at-risk homeless or special needs households for residency in the NHTF-financed units.

Also, in order to be eligible for NHTF funding, applicants also must commit to develop tenant selection plans that include strategies that demonstrate specific tenant selection and application strategies to address barriers to tenancy that the extremely low-income households to be served may have with credit, income, criminal and rental histories.

c. Describe the selection criteria that the grantee will use to select applications submitted by eligible recipients. If not distributing funds by selecting applications submitted by eligible recipients, enter “N/A”.

Only applications that meet mandatory threshold items will be eligible for funding. The FHFC director appoints staff to a review committee. Each committee member independently evaluates and scores their assigned portions of the submitted applications, consulting with non-committee program staff and legal staff if necessary and appropriate.

At the review committee meeting, members read their scores or findings of threshold eligibility into the record. Once the committee knows which applications meet eligibility requirements, funding selection begins with that group of applications. First, eligible applications are ranked from highest to lowest scoring application, with any tied scores separated by tie-breakers. Depending on the funding being offered (programs may have different associated statutory criteria), tiebreakers can include: leveraging of program funds (required in particular for the State Apartment Incentive Loan [SAIL] program); eligibility for the Florida Job Creation Funding Preference (required by state law); and lottery number. The applications are then selected to meet any goals specified in the RFA. To meet the goals, the committee reviews the list of ranked applications, choosing the highest ranked application that can meet the goals. In RFAs that include NHTF, goals will include requirements to select applications for new construction (since NHTF will not be used for rehabilitation, as discussed below). In addition, a “county award tally,” described above, is employed to disperse awards across counties as much as possible. Once funding is exhausted, the review committee finalizes its recommendations to present to the FHFC board.

d. Describe the grantee’s required priority for funding based on geographic diversity (as defined by the grantee in the consolidated plan). If not distributing funds by selecting applications submitted by eligible recipients, enter “N/A”.

The state of Florida will distribute NHTF funds by selecting applications submitted by eligible recipients on a competitive basis through FHFC’s RFA process. Funds will be made available in tandem with other financing to ensure geographic diversity, through an existing process that: proportionally aligns SAIL and

Low-Income Housing Tax Credit funding with affordable rental needs in the state based on the most recent cost burden data provided through triennial market needs studies carried out by the Shimberg Center for Housing Studies at the University of Florida. Program funding is proportionally distributed across large, medium and small counties based on these findings. Florida is commonly divided into three broad regions: north, central and south. Three of the seven large counties are located in South Florida, three are located in Central Florida and one is located in North Florida. Medium and small counties are located in all three regions with North Florida having the greatest number of small counties; and within large, medium and small county groupings, Florida regularly uses a “county award tally” to ensure that funding in each RFA is further distributed across as many counties as possible. For example, the tally might specify that once a development is awarded funding in a particular county, that county will not receive another development award unless eligible applications in all other counties have first been awarded.

e. Describe the grantee’s required priority for funding based on the applicant's ability to obligate HTF funds and undertake eligible activities in a timely manner. If not distributing funds by selecting applications submitted by eligible recipients, enter “N/A”.

As part of the RFA Process, the applicant must demonstrate their ability to obligate NHTF funds, their experience and their financial capacity to undertake, comply with and conduct NHTF eligible activities. In addition, show familiarity with the requirements of other federal, state or local housing programs that will be used in conjunction with NHTF funds to ensure compliance with all applicable requirements and regulations of such programs through demonstrated experience with developing, owning, and managing affordable multifamily rental housing developments. This will be done through showing prior developer experience by requiring applicants to list development information for a minimum specified number (depends on the combination of program funding in the RFA) of prior developments financed and built through affordable housing programs. In addition, for developments that will primarily serve special needs tenants, applicants are evaluated on a development experience narrative they submit to explain their experience serving the subpopulation(s) targeted; showing prior operating/management experience by requiring applicants to list general management company information for a minimum specified number (depends on the combination of program funding in the RFA) of prior affordable rental developments. For developments that will primarily serve special needs tenants, applicants are evaluated on an operating/managing experience narrative they submit to explain their experience serving the subpopulation(s) targeted; showing active developments affiliated with applicants that financed through any FHFC programs are in compliance; showing that applicants have no financial arrearages in any FHFC programs the applicants are currently funded through.

The applicant must show ability to undertake eligible activities in a timely manner; that is, there must be a reasonable expectation that the development will be placed in service within 24 months, which is typically outlined in closing agreements. The most critical way this is measured is the experience threshold described above.

f. Describe the grantee’s required priority for funding based on the extent to which the rental project has Federal, State, or local project-based rental assistance so that rents are affordable to extremely low-income families. If not distributing funds by selecting applications submitted by eligible recipients, enter “N/A”.

Florida will prioritize applications for funding which are able to maintain units affordable to extremely low-income households for at least 30 years without project based rental assistance. Florida’s experience indicates that combining capital subsidies for extremely low-income units with project based rental assistance is wasteful and limits the total number of units available to extremely low-income households. Maximizing the number of units affordable to extremely low-income households was a goal of Florida Housing long before Congress created the NHTF. For many years, Florida Housing worked to finance as many new extremely low-income rental units as possible, because the need for these units is high. The rental programs administered by FHFC are competitive; consequently, the state is able to encourage the inclusion of project based rental assistance in developments without the addition of NHTF.

Rather than using both types of funding to finance new extremely low-income units, the state’s objective is to create additional units for extremely low-income and very low-income households with NHTF. Thus, Florida will not prioritize applications which utilize project based rental assistance. FHFC established the maximum per-unit NHTF subsidy limits in this plan at a level that ensures that properties funded with NHTF will require less debt financing. With less hard-pay debt service, NHTF funded properties will have sufficient cash flow to support the units for 30 years. Where this cross-subsidization is insufficient, FHFC expects applicants to establish an operating deficit reserve to offset projected operating losses from extremely low-income and very low-income units identified during underwriting. Operating deficit reserves may be funded with NHTF and/or from other sources. No more than one-third of the state’s NHTF award will be used to fund operating deficit reserves.

g. Describe the grantee’s required priority for funding based on the financial feasibility of the project beyond the required 30-year period. If not distributing funds by selecting applications submitted by eligible recipients, enter “N/A”.

Florida will prioritize applications for funding which are able to maintain units affordable to extremely low-income and very low-income households for at least 30 years without project based rental assistance. Florida’s experience indicates that combining capital subsidies for extremely low-income units with project based rental assistance is wasteful and limits the total number of units available to extremely low-income households. Maximizing the number of units affordable to extremely low-income households was a goal of Florida Housing long before Congress created the NHTF. For many years, Florida Housing worked to finance as many new extremely low-income rental units as possible, because the need for these units is high. The rental programs administered by FHFC are competitive; consequently, the state is able to encourage the inclusion of project based rental assistance in developments without the addition of NHTF.

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h. Describe the grantee's required priority for funding based on the merits of the application in meeting the priority housing needs of the grantee (such as housing that is accessible to transit or employment centers, housing that includes green building and sustainable development features, or housing that serves special needs populations). If not distributing funds by selecting applications submitted by eligible recipients, enter "N/A".

RFAs also include scored items. RFAs providing financing for general occupancy properties that include a few NHTF units will include the following scoring opportunities based on information submitted by applicants: a score for a minimum local government financial contribution, as specified in the RFA, based on the size of the local government (higher contributions are required from bigger local governments that have access to more local housing dollars); a transit score, measuring the proposed development's proximity to public bus stops, bus rapid transit stops, or rail stops – the closer the proposed development is to transit, the more points received and the more intense the transit (rail or bus rapid transit compared to a regular bus stop), the higher the score; and a proximity score, measuring the proposed development's nearness to such resources as grocery stores, medical facilities, pharmacies and public schools, with a higher score for proposed developments that are closer to these resources.

RFAs offering financing for homeless or special needs populations provide opportunities for applicants to provide narrative sections to be scored as well. In the past FHFC has included narrative sections for applicants to describe: the population(s) to be served; the applicant's experience in developing and managing properties for these populations; access to public or other transit; proximity to shopping, employment, education and recreation; access to community based supportive services; and tenant selection policies and approach. Additional narrative criteria may be added to or replace existing narrative criteria by FHFC.

Because of FHFC's exacting RFA requirements, applications which meet all threshold mandatory criteria and any additional scoring criteria will be eligible for selection according to the scoring criteria in the RFA. Any of these eligible applications will be deemed to meet the state's priority housing needs, particularly those relating to serving extremely low-income persons with special needs.

i. Describe the grantee’s required priority for funding based on the extent to which the application makes use of non-federal funding sources. If not distributing funds by selecting applications submitted by eligible recipients, enter “N/A”.

In the RFA, applicants will be reviewed in accordance with the specific RFA criteria which will include the extent to which the application makes use of non-federal funding sources as compared to total units in the proposed development (leveraging factor). This may be measured by different methods, depending on the other funding being blended with NHTF. For example, FHFC can calculate the leveraging factor using any of these types of subsidies: The amount of any financial contribution from the local government to the development; the amount of SAIL or other state funding in the development; and/or the amount of other non-governmental sources of funding in the development, such as private or nonprofit loans or grants.

4. Does the grantee’s application require the applicant to include a description of the eligible activities to be conducted with HTF funds? If not distributing funds by selecting applications submitted by eligible recipients, select “N/A”.

Yes.

5. Does the grantee’s application require that each eligible recipient certify that housing units assisted with HTF funds will comply with HTF requirements? If not distributing funds by selecting applications submitted by eligible recipients, select “N/A”.

Yes.

6. Performance Goals and Benchmarks. The grantee has met the requirement to provide for performance goals and benchmarks against which the grantee will measure its progress, consistent with the grantee’s goals established under 24 CFR 91.315(b)(2), by including HTF in its housing goals in the housing table on the SP-45 Goals and AP-20 Annual Goals and Objectives screens.

Yes.

7. Maximum Per-unit Development Subsidy Amount for Housing Assisted with HTF Funds. Enter or attach the grantee’s maximum per-unit development subsidy limits for housing assisted with HTF funds.

The limits must be adjusted for the number of bedrooms and the geographic location of the project. The limits must also be reasonable and based on actual costs of developing non-luxury housing in the area.

If the grantee will use existing limits developed for other federal programs such as the Low Income Housing Tax Credit (LIHTC) per unit cost limits, HOME's maximum per-unit subsidy amounts, and/or Public Housing Development Cost Limits (TDCs), it must include a description of how the HTF maximum per-unit development subsidy limits were established or a description of how existing limits developed for another program and being adopted for HTF meet the HTF requirements specified above.

8. Rehabilitation Standards. The grantee must establish rehabilitation standards for all HTF-assisted housing rehabilitation activities that set forth the requirements that the housing must meet upon project completion. The grantee's description of its standards must be in sufficient detail to determine the required rehabilitation work including methods and materials. The standards may refer to applicable codes or they may establish requirements that exceed the minimum requirements of the codes. The grantee must attach its rehabilitation standards below.

In addition, the rehabilitation standards must address each of the following: health and safety; major systems; lead-based paint; accessibility; disaster mitigation (where relevant); state and local codes, ordinances, and zoning requirements; Uniform Physical Condition Standards; and Capital Needs Assessments (if applicable).

9. Resale or Recapture Guidelines. Below, the grantee must enter (or attach) a description of the guidelines that will be used for resale or recapture of HTF funds when used to assist first-time homebuyers. If the grantee will not use HTF funds to assist first-time homebuyers, enter "N/A".

N/A

10. HTF Affordable Homeownership Limits. If the grantee intends to use HTF funds for homebuyer assistance and does not use the HTF affordable homeownership limits for the area provided by HUD, it must determine 95 percent of the median area purchase price and set forth the information in accordance with §93.305. If the grantee will not use HTF funds to assist first-time homebuyers, enter "N/A".

N/A

11. Grantee Limited Beneficiaries or Preferences. Describe how the grantee will limit the beneficiaries or give preferences to a particular segment of the extremely low- or very low-income population to serve unmet needs identified in its consolidated plan or annual action plan. If the grantee will not limit the beneficiaries or give preferences to a particular segment of the extremely low- or very low-income population, enter "N/A."

Any limitation or preference must not violate nondiscrimination requirements in § 93.350, and the grantee must not limit or give preferences to students. The grantee may permit rental housing owners to limit tenants or give a preference in accordance with § 93.303(d)(3) only if such limitation or preference is described in the action plan.

The state of Florida will give a preference to the following segments of the extremely low-income population, which will also be integrated into the written agreements with the recipients of NHTF: persons and households with incomes at or below 22 percent of area median income in order to serve those at or near the Supplemental Security Income (also known as SSI) level and that are persons with special needs, defined in Florida Statute at 420.0004(13); and/or homeless households as defined by FHFC including persons and families at risk of homelessness.

These households have limited access to high quality, affordable housing and few new units of housing or rental assistance affordable to these residents are being made available. Households that receive SSI as their only income are at median income levels of approximately 22 percent. As discussed in the Needs Assessment section of the 2020-2024 Consolidated Plan, there are about 415,000 cost burdened renter households (i.e., those paying more than 30 percent of one's income for rent and utilities) with incomes up to 30 percent of area median income in Florida. The latest Rental Market Study identifies 768,000 cost burdened renter households when looking at households paying more than 40 percent of its income for gross rent, including utility costs. In an earlier evaluation of resident incomes served throughout FHFC's rental portfolio, out of 154,000 units reporting, less than 100 were targeted to renters with incomes this low, because current programs are not financially structured in such a way to allow rents to be low enough to serve this income group. Targeting households at this level allows Florida to add a new lower income level to the Florida extremely low-income units already being financed through state housing programs.

Florida will prioritize use of NHTF funds for developments that commit to integrate a small number of NHTF-funded units serving the populations described above into various types of properties, including general occupancy affordable housing properties serving family and elderly households with a range of incomes up to 60 percent of area median income in most cases, properties that serve a range of demographic populations and properties that are targeted to persons with special needs or who are homeless. NHTF-financed units will comprise only a small portion of total units in any property, but may be in addition to other Florida extremely low-income and/or very low-income units provided at the property. NHTF funding will be blended with other program financing, such as Multifamily Mortgage Revenue Bonds and State Apartment Incentive Loan (SAIL) gap funds, to finance general occupancy properties that include these units. Any development that has more than five NHTF-assisted units will be required to submit an Affirmative Marketing procedure in accordance with the requirements at § 93.350, together with the signed written agreement.

12. Refinancing of Existing Debt. Enter or attach the grantee's refinancing guidelines below. The guidelines describe the conditions under which the grantee will refinance existing debt.

The grantee's refinancing guidelines must, at minimum, demonstrate that rehabilitation is the primary eligible activity and ensure that this requirement is met by establishing a minimum level of rehabilitation per unit or a required ratio between rehabilitation and refinancing. If the grantee will not refinance existing debt, enter "N/A."

N/A

Discussion:

Please see the Grantee Unique Appendix for the complete response.

From: Kelly, Alex [Alex.Kelly@eog.myflorida.com]
Sent: Thursday, June 23, 2022 8:16 AM
To: Ivey, Meredith [Meredith.Ivey@deo.myflorida.com]; Strickland, Katie [Katie.Strickland@eog.myflorida.com]; Pollins, Stu [Stu.Pollins@LASPBS.STATE.FL.US]; Weller, Molly [Molly.Weller@LASPBS.STATE.FL.US]; Coyle, Frances [Frances.Coyle@LASPBS.STATE.FL.US]; Vickers, Mary Beth [MaryBeth.Vickers@LASPBS.STATE.FL.US]
CC: Eagle, Dane [Dane.Eagle@deo.myflorida.com]; Melnick, Benjamin [Benjamin.Melnick@deo.myflorida.com]; McKinstry, Molly B [molly.mckinstry@myflfamilies.com]; Pasley, Cassandra [Cassandra.Pasley@flhealth.gov]; Sutton, Stephanie [stephanie.sutton@floridahousing.org]
Subject: RE: for review - Draft State of Florida Annual Action Plan for the Community Development Block Grant (CDBG) Program
Attachments: Draft AAP Briefing Sheet for OPB 6-20-22.docx; DRAFT FFY 2022 Florida AAP OPB 6-20-22 AK.docx

Just made some small comments early in the second attachment with revisions and request that you embed the concepts, which I mention in the comments, elsewhere in the document.

Well done.

J. Alex Kelly
Deputy Chief of Staff
Executive Office of the Governor
(850) 443-8626
alex.kelly@eog.myflorida.com

From: Ivey, Meredith <Meredith.Ivey@deo.myflorida.com>
Sent: Tuesday, June 21, 2022 11:52 AM
To: Kelly, Alex <Alex.Kelly@eog.myflorida.com>; Strickland, Katie <Katie.Strickland@eog.myflorida.com>; Pollins, Stu <Stu.Pollins@LASPBS.STATE.FL.US>; Weller, Molly <Molly.Weller@LASPBS.STATE.FL.US>; Coyle, Frances <Frances.Coyle@LASPBS.STATE.FL.US>; Vickers, Mary Beth <MaryBeth.Vickers@LASPBS.STATE.FL.US>
Cc: Eagle, Dane <Dane.Eagle@deo.myflorida.com>; Melnick, Benjamin <Benjamin.Melnick@deo.myflorida.com>; McKinstry, Molly B <molly.mckinstry@myflfamilies.com>; Pasley, Cassandra <Cassandra.Pasley@flhealth.gov>; Sutton, Stephanie <Stephanie.Sutton@floridahousing.org>
Subject: for review - Draft State of Florida Annual Action Plan for the Community Development Block Grant (CDBG) Program

Good afternoon,

Attached for your review is State of Florida Fiscal Year 2022/23 Annual Action Plan for the Community Development Block Grant (CDBG) Program for the period July 1, 2022 through June 30, 2023. DEO is required to submit an Annual Action Plan to the U.S. Department of Housing and Urban Development (HUD) annually for the State of Florida to receive grant funding from HUD. DEO's Bureau of Small Cities

and Rural Communities is requesting approval to publish the Annual Action Plan Draft for public comment by June 28, 2022. This will allow for a required 15 day public comment period, time to address comments, if any, and ultimately submit the final Action Plan to HUD by August 16, 2022.

The Annual Action Plan is developed collaboratively on behalf of the agencies listed below and DEO is responsible for submitting on behalf of the state (Each agency partner listed below receives funds directly from HUD for the implementation and administration of various programs):

- Florida Department of Economic Opportunity (DEO)
- Florida Department of Health (DOH)
- Florida Department of Children and Families (DCF)
- Florida Housing Finance Corporation (FHFC)

It's my understanding all agencies listed have signed off on their individual sections but adding all Chiefs just in case.

Thank you,
Meredith Ivey
Chief of Staff

Florida Department of Economic Opportunity
Office: 850-245-7153
Email: Meredith.Ivey@deo.myflorida.com
www.FloridaJobs.org



This email communication may contain confidential information protected from disclosure by privacy laws and is intended for the use of the individual named above. If the reader of this message is not the intended recipient, this is notice to you that any dissemination, distribution or copying of this communication or any attachment to it may be a violation of federal and state privacy laws. If you have received this email in error, please notify the sender immediately by return email and delete this message. Please note that Florida has a broad public records law, and that all correspondence to me via email may be subject to disclosure. Under Florida law email addresses are public records.

State of Florida 2022 Annual Action Plan, Community Development Block Grant Program



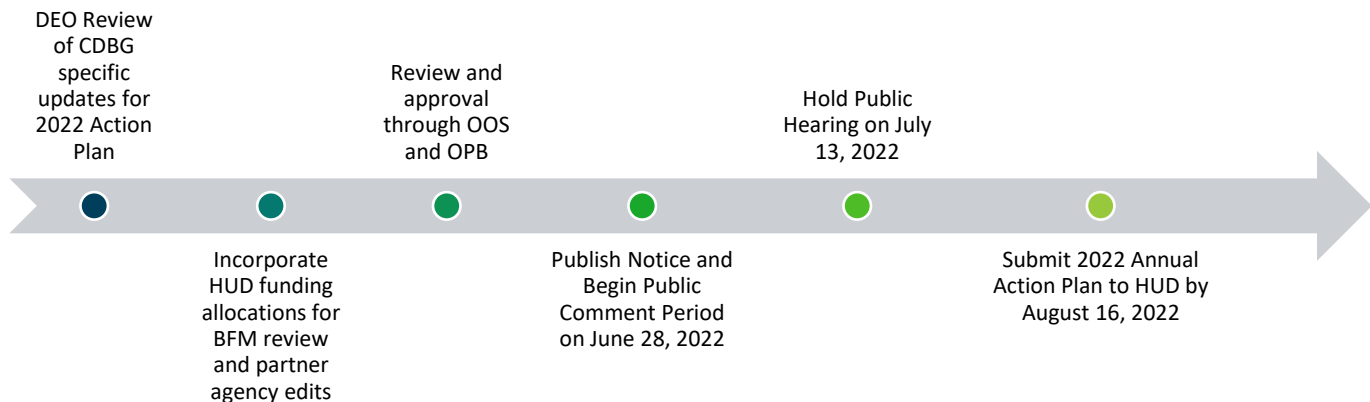
The Bureau of Small Cities and Rural Communities is requesting the review and approval of the State of Florida Fiscal Year 2022/23 Annual Action Plan for the Community Development Block Grant (CDBG) Program for the period July 1, 2022 through June 30, 2023. DEO is required to submit an Annual Action Plan to the U.S. Department of Housing and Urban Development (HUD) annually for the State of Florida to receive grant funding from HUD. **The Bureau is requesting approval to publish the Annual Action Plan Draft for public comment by June 28, 2022.** This will allow for a required 15 day public comment period, time to address comments, if any, and ultimately submit the final Action Plan to HUD by August 16, 2022. The Annual Action Plan is developed collaboratively. Each agency partner listed below receives funds directly from HUD for the implementation and administration of various programs:

- Florida Department of Economic Opportunity (DEO)
- Florida Department of Health (DOH)
- Florida Department of Children and Families (DCF)
- Florida Housing Finance Corporation (FHFC)

Notes for Reviewers

DEO has reviewed and approved all CDBG portions of the 2022 Annual Action Plan. Partner agencies concurrently reviewed and submitted their approved sections to DEO for incorporation into the final draft. The final draft will be routed through the Office of Policy and Budget (OPB) before we publish the combined draft 2022 Annual Action Plan for public comment and hold a public hearing.

Also enclosed in this review packet is the draft Notice of Public Meeting/Hearing/Workshop, and the email template for the Announcement of the Public Comment Period. Blank fields are inserted to allow for final dates to be added once all information has been received.



Annual Action Plan Background Information

The Annual Action Plan is a component of the Florida 2020-2024 Consolidated Plan. The State of Florida's Consolidated Plan is for the five-year period from July 1, 2020, through June 30, 2025, covering HUD program years 2020-2024. Each year's individual Action Plan delineates the steps undertaken and the goals to be achieved to address the priority needs over the Consolidated Plan's five-year timeframe. Additionally, HUD requires each state to also submit a Consolidated Annual Performance and Evaluation Report (CAPER) annually. The CAPER details funding expenditures for a given program year and compares actual performance outcomes to those proposed in the Action Plan.

For purposes of the Annual Action Plan, the state of Florida is eligible to receive grant funds from the U.S. Department of Housing and Urban Development (HUD) to address housing and community development needs. Corporation (FHFC).

The funds are primarily meant for investment in the state's less populated and rural areas ("non-entitlement" areas), which do not receive such funds directly from HUD.

These different grant funds include:

- Small Cities Community Development Block Grant (CDBG) Program, by the Department of Economic Opportunity (DEO); The CDBG Program supports affordable housing and infrastructure needs to primarily benefit low to moderate income households.
- Housing Opportunities for Persons with AIDS (HOPWA) Program, by the Florida Department of Health; The HOPWA Program provides housing opportunities to persons with HIV/AIDS.
- Emergency Solutions Grant (ESG) Program, by the Florida Department of Children and Families (DCF); and The ESG Program provides transitional and rapid re-housing activities to the homeless segment of the population.
- HOME Partnerships Program/National Housing Trust Fund (NHTF) Program by the Florida Housing Finance Corporation (FHFC). The HOME Program addresses affordable housing for low- and very low-income households by providing rehabilitation, reconstruction, new construction and rental assistance activities.
The NHTF Program works in tandem with other affordable housing programs to finance new units for extremely low-income residents.

State of Florida 2022 Annual Action Plan

Florida Department of Economic Opportunity

Small Cities Community Development Block Grant Program

Florida Department of Health

Housing Opportunities for Persons with AIDS Program

Florida Department of Children and Families

Emergency Solutions Grant Program

Florida Housing Finance Corporation

HOME Partnerships Program

National Housing Trust Fund (NHTF) Program

Executive Summary

AP-05 Executive Summary - 24 CFR 91.200(c), 91.220(b)

1. Introduction:

The state of Florida is eligible to receive grant funds from the U.S. Department of Housing and Urban Development (HUD) to address housing and community development needs. These different grant funds include: Small Cities Community Development Block Grant (CDBG) Program, Housing Opportunities for Persons with AIDS (HOPWA) Program, Emergency Solutions Grant (ESG) Program, HOME Investment Partnerships Program (HOME), and the National Housing Trust Fund (NHTF) Program. The funds are primarily meant for investment in the state's less populated and rural areas (non-entitlement areas), which do not receive such funds directly from HUD. The state of Florida's Consolidated Plan is for the five-year period from July 1, 2020, through June 30, 2025, covering HUD program years 2020-2024.

Each of the agencies listed below receive funds directly from HUD for the implementation and administration of the following programs:

- CDBG Program – the Florida Department of Economic Opportunity (DEO);
- HOPWA Program – the Florida Department of Health (DOH);
- ESG Program – the Florida Department of Children and Families (DCF); and
- HOME and NHTF Programs – the Florida Housing Finance Corporation (FHFC).

The state of Florida 2022 Annual Action Plan is for a one-year period from July 1, 2022, through June 30, 2023.

The Needs Assessment and Market Analysis sections of the Consolidated Plan determine the priority housing and non-housing development needs within the state. The Strategic Plan section describes the strategies that will be undertaken and the goals to be achieved to address the priority needs over the Consolidated Plan's five-year timeframe. An emphasis is placed on meeting priority needs based on housing, homelessness, HOPWA, and community and economic development projects that are eligible for funds through the programs administered by HUD-funded agencies. The Third-Year Action Plan describes the activities that will be undertaken in the second year (2022) to address the priority needs and make progress toward meeting the Strategic Plan goals.

2. Summarize the objectives and outcomes identified in the Plan.

This could be a restatement of items or a table listed elsewhere in the plan or a reference to another location. It may also contain any essential items from the housing and homeless needs assessment, the housing market analysis or the strategic plan.

All HUD-funded projects must meet one of three National Objectives:

- Primarily benefit low- and moderate-income persons;
- Prevent or eliminate slum or blight; or
- Meet other community development needs that address an urgent need to existing conditions posing a serious and immediate threat to the health or welfare of the community, and where other financial resources are not available to meet such needs.

The state of Florida's strategic goals to address housing and community development needs through CDBG, HOME, HOME-ARP, ESG, HOPWA and NHTF include:

- Economic Development;
 - Including infrastructure, workforce housing, employment, reemployment and broadband planning
- Commercial Revitalization;
- Housing Rehabilitation;
 - Including workforce housing;
- Neighborhood Revitalization;
- Emergency Shelter and Street Outreach to People Experiencing Homelessness;
- Permanent Housing for People Experiencing Homelessness;
- Rental and Homeownership Activities through Community Housing Development Organizations (CHDOs);
- Housing and Supportive Services;
- Affordable Rental Housing (including affordable rental housing options specifically designated for extremely low-income and very low-income working households); and
- Affordable Homeownership Housing.

The highest priorities for the CDBG Program are the following:

- Job creation and sustainability;
- Flood and drainage (stormwater) improvements;
- Street and sidewalk improvements;
- Water line and treatment plan improvements; and
- Rehabilitation of low-income homes, including workforce housing, to meet local building code and Section 8 housing quality standards.

3. Evaluation of past performance

This is an evaluation of past performance that helped lead the grantee to choose its goals or projects.

Over the past five years, the state of Florida has funded a variety of programs and activities with HUD block grants and continues to address the greatest housing, community, and economic development needs in the state. Florida intends to continue these successful programs and activities during the current planning period of 2020-2024.

As required by HUD, the state must submit a Consolidated Annual Performance and Evaluation Report (CAPER) each year in September. The CAPER details funding expenditures for a given program year and compares actual performance outcomes to those proposed in the Action Plan. Collectively, the 2019 Action Plan expenditures served 44,059 residents, 250 households, and generated 1,907 housing units, exceeding most annual targets for CDBG, HOME, ESG, and HOPWA funding for the program year.

4. Summary of Citizen Participation Process and consultation process

Summary from citizen participation section of plan.

[TO BE UPDATED AFTER PUBLIC COMMENT PERIOD].

5. Summary of public comments

This could be a brief narrative summary or reference an attached document from the Citizen Participation section of the Con Plan.

[TO BE UPDATED AFTER PUBLIC COMMENT PERIOD].

6. Summary of comments or views not accepted and the reasons for not accepting them

[TO BE UPDATED AFTER PUBLIC COMMENT PERIOD].

7. Summary

The needs are:

- Community development, economic development, and housing rehabilitation projects, including workforce housing in the communities that receive funding through the CDBG program;
- Financial and supportive assistance to persons living with HIV/AIDS to help with housing costs to prevent homelessness through the HOPWA program;
- New affordable housing, homebuyer, or rental assistance through the HOME program;

- Assistance for individuals experiencing homelessness, including funding for the operation and maintenance of emergency shelters through the ESG program; and
- Extremely low-income and very low-income units for persons and households with special needs, or who are homeless or at-risk of homelessness through the NHTF program.

In addition, the state continues to experience disaster-related needs, which are being addressed through the Community Development Block Grant Disaster Recovery and Community Development Block Grant Mitigation programs. More information on these programs is available on the Office of Long-Term Resiliency website: <https://floridajobs.org/community-planning-and-development/assistance-for-governments-and-organizations/disaster-recovery-initiative>.

PR-05 Lead & Responsible Agencies - 91.300(b)

1. Agency/entity responsible for preparing/administering the Consolidated Plan

The following are the agencies/entities responsible for preparing the Consolidated Plan and those responsible for administration of each grant program and funding source.

Agency Role	Name	Department/Agency
Lead Agency	Florida	Department of Economic Opportunity (DEO)
CDBG Administrator	Florida	Department of Economic Opportunity (DEO)
HOPWA Administrator	Florida	Department of Health (DOH)
HOME and HOME-ARP Administrator	Florida	Florida Housing Finance Corporation (FHFC)
ESG Administrator	Florida	Department of Children and Families (DCF)
HOPWA-C Administrator	Florida	Department of Health (DOH)
HTF Administrator	Florida	Florida Housing Finance Corporation (FHFC)

Table 1 – Responsible Agencies

Narrative

The following are the individual representatives for the above listed agencies:

Consolidated Plan Public Contact Information

Cheryl Urbas, DOH, HOPWA, cheryl.urbas@flhealth.gov

Nicole Gibson, FHFC, HOME, HOME-ARP and NHTF, nicole.gibson@floridahousing.org

Shaurita Jackson, DEO, Small Cities CDBG, cdbg@deo.myflorida.com

Tera Bivens, DCF, ESG, tera.bivens@myflfamilies.com

AP-10 Consultation - 91.110, 91.300(b); 91.315(l)

1. Introduction:

Provide a concise summary of the state's activities to enhance coordination between public and assisted housing providers and private and governmental health, mental health and service agencies

As part of the consolidated planning process, the state reached out to thousands of stakeholders statewide to communicate about the consolidated plan, process, and opportunities for participation. More than 200 stakeholders participated in a survey for the Consolidated Plan, which included a variety of housing providers, and health, mental health, and service agencies. Additional details are included in the Citizen Participation Appendix.

Ongoing efforts to enhance coordination among housing providers and service agencies occur through the state's existing "Link Strategy." Developers receiving financing through a number of Florida Housing Finance Corporation's affordable rental development programs must reserve a small portion of units for tenants referred by an approved supportive services referral agency working in the community where the property is located. Populations served through this strategy include persons at-risk of or currently experiencing homelessness and persons with special needs (including persons with disabilities, survivors of domestic violence, and youth aging out of foster care). Properties financed with NHTF program funding are required to implement this approach. FHFC is working with other state agencies to implement this strategy.

Describe coordination with the Continuum of Care and efforts to address the needs of homeless persons (particularly chronically homeless individuals and families, families with children, veterans, and unaccompanied youth) and persons at risk of homelessness

The HOPWA Program contractually requires each sub-recipient to designate a representative to participate in the local homelessness planning process and provide local homelessness advocates with information about HOPWA as needed.

The DCF Office on Homelessness works closely with 27 Continuums of Care (CoCs) to address the needs of different homeless populations throughout the state. The populations served include families with children, individuals with substance abuse or mental health needs, domestic violence survivors, chronically homeless, and youth exiting the foster care system. DCF's priorities continue to be families with children, youth exiting from foster care, unaccompanied homeless youth, youth with Department of Juvenile Justice (DJJ) involvement, and individuals with substance abuse and/or mental health concerns. For the purposes of this document, the term "unaccompanied youth" refers to a homeless youth who lacks fixed, regular, and adequate housing and who is not in the physical custody of a parent or guardian.

DEO, DCF, and FHFC sit on the Council on Homelessness along with a number of other state agencies and stakeholders to discuss homeless housing and service issues. FHFC uses its seat on the council to seek input on program ideas, including the use of Low Income Housing Tax Credits and state or HOME funding for permanent supportive housing developments to serve homeless persons, a “rapid re-housing” approach with short-term tenant-based rental assistance and the use of forgivable state loans in rural areas working with CoCs and/or homeless services providers to finance smaller, scattered site properties for chronically or situational homeless households. The Council provides an important opportunity to discuss how the FHFC can support the CoC work to serve homeless people throughout the state.

Describe consultation with the Continuum(s) of Care that serves the State in determining how to allocate ESG funds, develop performance standards for and evaluate outcomes of projects and activities assisted by ESG funds, and develop funding, policies and procedures for the operation and administration of HMIS

The DCF Office on Homelessness gathers input from CoCs and the Council on Homelessness regarding performance standards and outcome measures for all funding. This information is used in shaping the use of funds available to the HUD-designated CoC lead agencies. CoCs are encouraged to develop projects that meet the local needs of their communities and that align with federal regulations.

2. Agencies, groups, organizations and others who participated in the process and consultations

Table 2 – Agencies, groups, organizations who participated

1	Agency/Group/Organization	Department of Economic Opportunity (State of Florida)
	Agency/Group/Organization Type	Other government - State
	What section of the Plan was addressed by Consultation?	Housing Needs Assessment Market Analysis Strategic Plan and Action Plan
	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	Lead agency on the development of the Consolidated Plan; contributed to all elements of the plan and facilitated outreach to additional stakeholders.
2	Agency/Group/Organization	FLORIDA HOUSING FINANCE CORPORATION
	Agency/Group/Organization Type	Housing Services - Housing Other government - State
	What section of the Plan was addressed by Consultation?	Housing Needs Assessment Market Analysis Strategic Plan and Action Plan
	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	Contributed to all elements of the plan and facilitated outreach to additional stakeholders.
3	Agency/Group/Organization	Florida Department of Health-Central
	Agency/Group/Organization Type	Services-Persons with HIV/AIDS Other government - State
	What section of the Plan was addressed by Consultation?	Housing Needs Assessment Market Analysis Strategic Plan and Action Plan
	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	

4	Agency/Group/Organization	Florida Department of Children and Families
	Agency/Group/Organization Type	Services-Children Services-Homeless Other government - State
	What section of the Plan was addressed by Consultation?	Housing Needs Assessment Market Analysis Strategic Plan and Action Plan
	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	Contributed to all elements of the plan and facilitated outreach to additional stakeholders.
5	Agency/Group/Organization	Stakeholder Survey
	Agency/Group/Organization Type	A wide range of stakeholders from services, industries, and other providers
	What section of the Plan was addressed by Consultation?	Housing Needs Assessment Public Housing Needs Homelessness Strategy Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs - Veterans Homelessness Needs - Unaccompanied youth Non-Homeless Special Needs HOPWA Strategy Economic Development Market Analysis Anti-poverty Strategy
	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	Online survey conducted specifically for the Consolidated Plan including questions on current needs, market, conditions, goals, strategies, priorities, and institutional infrastructure. This survey had nearly 200 total stakeholder respondents.

Identify any Agency Types not consulted and provide rationale for not consulting

All relevant organizations and agencies were invited to participate in the process. DEO, FHFC, DCF, and DOH utilized electronic listserv notifications that reach more than 3,000 stakeholders and residents to encourage participation in the survey, virtual engagement site and public hearings.

Other local/regional/state/federal planning efforts considered when preparing the Plan

Name of Plan	Lead Organization	How do the goals of your Strategic Plan overlap with the goals of each plan?
Continuum of Care	N/A	CoCs and the State Office on Homelessness closely follow federal policy and work to align efforts in ending homelessness that match the federal strategic plan to end homelessness.
Local Comprehensive Plan	Department of Economic Opportunity	CDBG applications must include provisions from the local comprehensive plan demonstrating that the proposed activity is not inconsistent with the comprehensive plan.
CDBG Disaster Recovery Action Plans	Department of Economic Opportunity	CDBG-DR Action Plans for hurricanes Hermine, Matthew, Michael, and Irma are referenced as appropriate and align with strategic housing and redevelopment efforts covered in the Consolidated Plan.
Florida's Strategic Plan for Economic Development	Department of Economic Opportunity	Economic development goals align with strategic CDBG economic development goals.
Florida Housing Finance Corporation Strategic Plan	Florida Housing Finance Corporation	FHFC Strategic Plan aligns with HOME, including HOME-ARP, and NHTF affordable housing goals.
2019 Consolidated Annual Performance Evaluation Report	Department of Economic Opportunity	Strategic Plan goals build on the previous CAPER goals, but adapt and refine them to the current needs of the community.

Table 3 - Other local / regional / federal planning efforts

Narrative

None.

AP-12 Participation - 91.115, 91.300(c)

1. Summary of citizen participation process/Efforts made to broaden citizen participation Summarize citizen participation process and how it impacted goal-setting

Residents and stakeholders had many opportunities to participate in the development of the Consolidated Plan:

- Nearly 200 stakeholders participated in an online survey about housing and community development needs in areas where they work and live.
- Resident engagements were conducted online in the form of “Needs Assessment Forums” to encourage participation in the Consolidated Plan and Action Plan development. These online forums provide opportunities to inform the public about the process and gather resident and stakeholder perspectives on needs. The dedicated online engagement platform (<https://florida.housingimpactlab.com/>) was open for residents to participate from August 22, 2020, to September 30, 2020. A total of 27 residents/stakeholders participated in the engagement activities on the site.

Five public hearings were held on the Consolidated Plan, and were open to all residents and conducted online through a webinar format. These hearings were conducted on August 14, September 15, September 17, October 20, and October 28, 2020.

Add language specific to Action Plan Citizen Participation after the public comment period.

Citizen Participation Outreach

Sort Order	Mode of Outreach	Target of Outreach	Summary of response/ attendance	Summary of comments received	Summary of comments not accepted and reasons	URL (If applicable)
1	Public Meeting	Non-targeted/broad community		See Section AP-05 #5		

Table 4 – Citizen Participation Outreach

Expected Resources

AP-15 Expected Resources – 91.320(c)(1,2)

Introduction

The table below lists the resources anticipated to be available to assist the State in fulfilling its Annual action and five-year Consolidated Plan goals.

Anticipated Resources

Program	Source of Funds	Uses of Funds	Expected Amount Available Year 2				Expected Amount Available Remainder of ConPlan \$	Narrative Description
			Annual Allocation: \$	Program Income: \$	Prior Year Resources: \$	Total: \$		
CDBG	public - federal	Acquisition Admin and Planning Economic Development Housing Public Improvements Public Services	26,415,285	188,476	14,296,970	41,662,374	86,249,856	The annual allocation and any program income or prior year resources will be allocated to eligible CDBG categories per 24 CFR 570.200-570.207
HOME	public - federal	Acquisition Homebuyer assistance Homeowner rehab Multifamily rental new construction Multifamily rental rehab New construction for ownership TBRA	22,120,043	9,400,000	0	31,520,043	29,200,000	The annual allocation and any program income or prior year resources will be allocated to eligible HOME categories per 24 CFR 92

HOME-ARP	public - federal	Admin and planning Rental Housing TBRA	0	0	71,903,340	71,903,340	71,903,340	Funding available through the American Rescue Plan Act
HOPWA	public - federal	Permanent housing in facilities Permanent housing placement Short term or transitional housing facilities STRMU Supportive services TBRA	8,876,983	0	0	8,876,983	32,196,164	The annual allocation and any program income or prior year resources will be allocated to eligible HOPWA categories per 24 CFR 574
ESG	public - federal	Street Outreach Emergency shelter Rapid Re-housing Homelessness Prevention Admin HMIS Activities	5,960,758	0	0	5,960,758	17,882,274	The annual allocation and any program income or prior year resources will be allocated to eligible ESG categories per 24 CFR 576.101-576.107

HTF	public - federal	Acquisition Admin and Planning Homebuyer assistance Multifamily rental new construction Multifamily rental rehab New construction for ownership	37,274,870	0	0	37,274,870	30,000,000	The annual allocation will be allocated to eligible HTF categories per 24 CFR 93.
ESG-CV	Public-federal	Street Outreach Emergency shelter Rapid Re-housing Homelessness Prevention Admin HMIS Activities	NA	0	7,000,000	7,000,000	7,000,000	Funds for COVID response

Table 5 - Expected Resources – Priority Table

Explain how federal funds will leverage those additional resources (private, state and local funds), including a description of how matching requirements will be satisfied.

The CDBG Program requires matching funds for amounts expended on Administration in excess of \$100,000. CDBG match contributions are met with State trust fund dollars.

The HOME Program requires participating jurisdictions to provide match funds in an amount equal to no less than 25 percent of the total HOME funds drawn down for project costs. Match is a permanent contribution to affordable housing. However, match is not leveraging. Match is the participating jurisdiction’s contribution to the HOME Program the local, non-federal contribution to the partnership.

The match requirement for HOME-ARP was waived in the American Rescue Plan Act.

The federal ESG Program requires matching contributions to supplement the recipient's ESG program in an amount that equals the recipient's fiscal year grant for ESG. However, 24 CFR § 576.201 (a)(2) states that "If a recipient is a state, the first \$100,000 of the fiscal year grant is not required to be matched. However, the recipient must transfer the benefit of this exception to its subrecipients that are least capable of providing the recipient with matching contributions." DCF requires monthly reports from CoCs that outlines the matching contributions for expenditures. The types of acceptable matching contributions include cash contributions and noncash contributions such as the value of real property, equipment, goods and services contributed to the program. Match requirements do not apply to ESG-CV program funds.

Neither the federal nor the state HOPWA Programs require match contributions to be leveraged toward funding allocations.

The NHTF Program does not require matching funds; instead NHTF Program funds will be made available in tandem with other affordable financing, which may include Multifamily Mortgage Revenue Bonds, Low Income Housing Tax Credits, State Apartment Incentive Loan Program (SAIL) or HOME Investment Partnerships program funds, as part of a comprehensive annual funding plan adopted by FHFC's Board of Directors. NHTF Program funding will assist in creating financing opportunities with some or all the programs listed here to enable assisted units to serve more extremely low-income and very low-income residents than could be done by each program separately.

If appropriate, describe publically owned land or property located within the jurisdiction that may be used to address the needs identified in the plan.

Land owned by the local government can be used for leverage in the Small Cities CDBG program. In addition, land donated or provided at below market value to a developer receiving HOME funds will lower the overall cost of affordable housing development.

Discussion:

The anticipated resources expected to be allocated toward eligible HUD-funded program activities and projects will be used toward priority areas that have been identified by each funding program in the current planning years 2020-2024. Other resources available from other funding sources are encouraged to supplement HUD-funded activities.

Annual Goals and Objectives

AP-20 Annual Goals and Objectives – 91.320(c)(3)&(e)

Goals Summary Information

Sort Order	Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator
1	Economic Development	2020	2024	Non-Housing Community Development	STATEWIDE	Job Creation	CDBG: \$7,339,865	Jobs Created/Retained: 85
2	Commercial Revitalization	2020	2024	Non-Housing Community Development	STATEWIDE	Commercial Revitalization	CDBG: \$1,614,770	Public Facility or Infrastructure Activities other than Low/Moderate-Income Housing Benefit: 840 Persons Assisted
3	Housing Rehabilitation	2020	2024	Affordable Housing	STATEWIDE	Housing Rehabilitation Affordable Rental Housing Affordable Ownership Housing	CDBG: \$6,116,554	Homeowner Housing Rehabilitated: 105 Household Housing Units
4	Neighborhood Revitalization	2020	2024	Non-Housing Community Development	STATEWIDE	Neighborhood Revitalization	CDBG: \$9,395,027	Public Facility or Infrastructure Activities other than Low/Moderate-Income Housing Benefit: 5655 Persons Assisted
5	Emergency Shelter and Street Outreach	2022	2022	Homeless	STATEWIDE	Street Outreach to Homeless Persons and Emergency Shelters	ESG: \$3,576,454	Homeless Persons Assisted w/ Shelter: 2000
6	Permanent Housing for Homeless Persons	2022	2022	Affordable Housing	STATEWIDE	Homeless Prevention and Rapid Rehousing	ESG: \$2,384,304	Households Assisted: 1050

7	Rental and Homeownership Activities (CHDOs)	2020	2024	Affordable Housing	STATEWIDE	Affordable Rental Housing Affordable Ownership Housing	HOME: \$3,318,006	Other: 25 Household Housing Unit
8	Affordable Homeownership Housing	2020	2024	Affordable Housing	STATEWIDE	Affordable Ownership Housing	HOME: \$5,000,000	Homeowner Housing Added: 130 Household Housing Unit
9	Affordable Rental Housing	2020	2024	Affordable Housing Non-Homeless Special Needs	STATEWIDE	Affordable Rental Housing	HOME: \$11,590,032	Household Housing Unit: 100 Households Assisted Tenant-based rental assistance / Rapid Rehousing: 50 Households Assisted
10	Affordable Rental Housing for Extremely Low Income and very low-income Households	2020	2024	Affordable Housing Non-Homeless Special Needs	STATEWIDE	Affordable Rental Housing	HTF: \$37,274,870	Rental units constructed: 125 Household Housing Units

11	Housing and Supportive Services	2020	2024	Affordable Housing Non-Homeless Special Needs	STATEWIDE	Short Term Rent, Mortgage and Utility Payments Permanent Housing Placement Assistance Tenant Based Rental Assistance Resource identification services Housing information services Case management and other supportive services Short-term supported housing	HOPWA: \$8,876,983	Tenant-based rental assistance / Rapid Rehousing: 240 Households Assisted Homelessness Prevention: 1,500 Persons Assisted
12	Coronavirus Response and Recovery	2022	2022	Affordable Housing Public Housing Homeless	STATEWIDE	Street Outreach to Homeless Persons Emergency Shelters Homeless Prevention and Rapid Rehousing	ESG-CV: \$7,000,000	Homeless Persons Assisted w/Shelter: 4200 Households Assisted with Permanent Housing: 740

Table 5 – Goals Summary

Goal Descriptions

1	Goal Name	Economic Development
	Goal Description	Economic Development subgrants assist communities through the creation or retention of jobs primarily for persons from low- to-moderate-income households. An Economic Development project must meet a national objective by creating or retaining jobs of which at least 51 percent are for persons from low- to moderate-income households, or which meet the criteria contained in 24 CFR 570.483(b)(4)(iv) and (v), or by providing goods and services to an area with a primarily low- to moderate-income clientele.
2	Goal Name	Commercial Revitalization
	Goal Description	Commercial Revitalization activities are designed to revitalize commercial areas, which serve primarily low- and moderate-income persons, or to meet the National Objective of preventing or eliminating slum or blight. Goal outcome indicators not listed for commercial revitalization include parking improvements, streetscaping, public facilities, and building rehabilitation.
3	Goal Name	Housing Rehabilitation
	Goal Description	The primary objectives of the Housing Rehabilitation category are to improve housing conditions for low- and moderate-income persons, including workforce housing.
4	Goal Name	Neighborhood Revitalization
	Goal Description	The primary objective of the Neighborhood Revitalization category is to preserve and revitalize declining, primarily residential, low- and moderate-income service area neighborhoods by addressing the major infrastructure problems contributing to such decline. Neighborhood Revitalization grants assist communities with basic community development needs, including infrastructure, for low-income citizens in residential neighborhoods.

5	Goal Name	Emergency Shelter and Street Outreach
	Goal Description	The ESG Program funding will enable DCF to support the operation of emergency shelter facilities, including domestic violence facilities, throughout the state. The funds will also be used to assist unsheltered homeless individuals and families with locating an emergency shelter or housing, case management needs, transportation, emergency health services, and emergency mental health services in the respective CoCs throughout Florida. The programs will be carried out by local CoC lead agencies as a collaborative effort to coordinate area providers of service. In accordance with 24 CFR § 576.100(b), funding levels for both outreach and shelters shall not be more than 60 percent of ESG Program awards.
6	Goal Name	Permanent Housing for Homeless Persons
	Goal Description	The ESG Program goals will be carried out by local CoC lead agencies as a collaborative effort to coordinate area providers of service in accordance with local CoC Plans. Funding levels for permanent housing activities (homelessness prevention and rapid re-housing) will equal the balance of the ESG Program awards not used on Street Outreach, Emergency Shelter, HMIS and Administrative Costs. DCF's priorities continue to be families with children, youth exiting from foster care, unaccompanied homeless youth, youth with DJJ involvement, and individuals with substance abuse and/or mental health concerns.
7	Goal Name	Rental and Homeownership Activities (CHDOs)
	Goal Description	The HOME Program, administered by FHFC, allocates annual funding allocation to rental and homeownership activities sponsored by qualified Community Housing Development Organizations (CHDOs). The funding can be used for new construction, rehabilitation, rental assistance or down payment assistance activities.
8	Goal Name	Affordable Homeownership Housing
	Goal Description	The HOME Program funds affordable homeownership housing either through the RFA process or through a reservation process. Funding can be used for homebuyer assistance activities, such as down payment assistance and construction activities.
9	Goal Name	Affordable Rental Housing
	Goal Description	The HOME Program funds affordable rental housing for low income households through the RFA process. Funding can be used for activities such as construction, rehabilitation and rental assistance for low- and moderate-income households.

10	Goal Name	Affordable Rental Housing for Extremely Low Income and Very Low-Income
	Goal Description	The NHTF Program, administered by FHFC, funds affordable rental housing for extremely low income (ELI) and very low-income (VLI) households through the RFA process. Funding may be used for activities including construction, demolition, acquisition of real property, related soft costs and operating cost reserves funded with operating assistance.
11	Goal Name	Housing and Supportive Services
	Goal Description	The HOPWA Program, administered by DOH, funds activities carried out by the project sponsors throughout Florida, including financial assistance in the form of short-term rent, mortgage and utility (STRMU) payments; permanent housing placement assistance; tenant based rental assistance; resource identification services; housing information services; case management and other supportive services; short-term supported housing assistance; facility-based housing development and preservation; facility-based housing operations activities; transitional housing; and administrative services for persons living with HIV/AIDS.
12	Goal Name	Coronavirus Response and Recovery
	Goal Description	The remaining FY21 balance of ESGCV Program funding will enable DCF to support the operation of emergency shelter facilities, including domestic violence facilities, throughout the state, and provide permanent housing activities in FY22. The funds will also be used to assist unsheltered homeless individuals and families with locating an emergency shelter or housing, case management needs, transportation, emergency health services, and emergency mental health services in the respective CoCs throughout Florida. These ESG-CV funds will be used to prevent, prepare for, and respond to coronavirus among individuals and families who are homeless or receiving homeless assistance and to support additional homeless assistance and homelessness prevention activities to mitigate the impacts created by coronavirus.
13	Goal Name	Affordable Rental Housing
	Goal Description	The HOME-ARP Program funds affordable rental housing for qualifying populations through the competitive solicitation process. Funding can be used for activities such as new construction and rental assistance for qualifying populations identified in the American Rescue Plan Act.

AP-25 Allocation Priorities – 91.320(d)

Introduction:

The following chart reflects the planned percentage distribution of the FFY 2022 CDBG, ESG, HOME, NHTF, and HOPWA programs. Additionally, this section is a description of how the allocation distribution was determined and how the allocation distribution will address the priority needs and goals determined in the Strategic Plan portion of the Consolidated Plan.

Funding Allocation Priorities

Program	Goals													
	ED (%)	CR (%)	HR (%)	NR (%)	Emergency Shelter and Street Outreach (%)	Permanent Housing for Homeless Persons (%)	Rental and Homeownership Activities (CHDOs) (%)	Affordable Homeownership Housing (%)	Affordable Rental Housing (%)	Affordable Rental Housing for Extremely Low Income & Very Low Income (%)	Housing and Supportive Services (%)	Disaster Recovery (%)	Coronavirus Response and Recovery (%)	Total (%)
CDBG	30.4	6.6	25	38	0	0	0	0	0	0	0	0	0	100
HOME	0	0	0	0	0	0	15	25	60	0	0	0	0	100
HOPWA	0	0	0	0	10	0	0	0	0	0	90	0	0	100
ESG	0	0	0	0	60	40	0	0	0	0	0	0	0	100
HTF	0	0	0	0	0	0	0	0	0	100	0	0	0	100
ESGCV	0	0	0	0	0	0	0	0	0	0	0	0	100	100

Table 6 – Funding Allocation Priorities

Reason for Allocation Priorities

The percentages, described in the table above, place an emphasis or priority on the types of projects that will be funded for each of the five HUD-funded grant programs described in the 2020-2024 Consolidated Plan.

For the CDBG program, if the number of applications received are insufficient to fully utilize all funds allocated to a category, the balance of the funds in that category can be reallocated to another category receiving more applications than there are funds available. Grant category funding levels may be increased and/or decreased by reallocated funds.

Similarly, for the HOME Program, if the applications received are insufficient to fully utilize all funds allocated to a category, the balance of funds in that category may be reallocated to another category

receiving more applications than there are funds available. Funding in each category may be increased and/or decreased by reallocated funds.

FY 2021 HOME-ARP funds were allocated based upon a comprehensive needs assessment and analysis, consultation with key stakeholders, and public participation as required in the HUD HOME-ARP Allocation Plan. A copy of the HUD-approved Allocation Plan can be found on the FHFC website.

The allocation percentages for each individual grant program were determined based on the needs presented in the needs assessment section of the 2020-2024 Consolidated Plan, the comments and survey responses received during the citizen participation process conducted during the development of the Consolidated Plan and the NHTF Allocation Plan and applications received in the past. For the HOPWA Program, the types of housing and supportive services will be based on financial and programmatic requirements in accordance with HUD-eligible activities delivered by local project sponsors. For the ESG Program, the types of projects will be in accordance with HUD-eligible activities carried out by the local CoC lead agencies and administered by DCF.

How will the proposed distribution of funds will address the priority needs and specific objectives described in the Consolidated Plan?

Performance objectives for communities served by the CDBG program are entered into HUD's Integrated Disbursement Information System (IDIS) when awards are made, and the final accomplishments and beneficiaries are reported when projects are completed. The composite objectives of subgrantees comprise the state's overall objectives.

The CDBG program will address three primary objectives with its federal fiscal year (FFY) 2022 allocation:

1. Creating economic opportunities;
2. Creating a suitable living environment; and
3. Providing affordable housing, including workforce housing.

These objectives will result in four major outcomes:

1. Improve the local economy;
2. Reduce poverty through job creation;
3. Improve neighborhoods; and
4. Improve sustainability by providing suitable workforce housing and promoting viable communities.

In preparing their CDBG applications, local communities hold public meetings to determine their community's priority needs, and then prepare and submit an application for funding in one of the four funding categories. Therefore, specific performance objections can only be determined when the applications are received, scored, and a grant is awarded.

The ESG Program will address the below primary objectives with its FFY 2022 allocation:

1. Increase street outreach to homeless persons (especially unsheltered),
2. Ensure access to emergency or temporary shelters to homeless persons (especially families with children),

3. Increase the availability of homeless prevention services to persons and families at risk of homelessness;
4. Prioritize rapid rehousing assistance to individuals and families; and
5. Prioritize assistance to families with children, youth exiting from foster care, unaccompanied homeless youth, youth with DJJ involvement, and individuals with substance abuse and/or mental health concerns.

The HOME Program will address three primary objectives with its FFY 2022 allocation:

1. Increase rental through CHDOs for persons and families at, or below, 60 percent area median income (AMI),
2. Increase affordable rental housing activities through construction of new rental housing units or through tenant-based rental assistance for persons and families at or below 60 percent AMI, and
3. Increase affordable ownership housing activities through direct financial assistance to homebuyers at or below 80 percent AMI.

The State HOPWA Program will address three primary objectives with its FFY 2022 allocation:

1. Establish or better maintain a stable living environment.
2. Reduce the risk of homelessness among people living with HIV/AIDS and their families.
3. Transition homeless individuals or families into stable housing as well as create a strategy for long-term housing stability for persons living with HIV/AIDS.

The NHTF Program will address one primary objective with its allocation: to increase affordable rental housing activities for extremely low-income households, with a preference for those who are homeless, at risk of homelessness and/or have special needs.

The HOME-ARP program will address two primary objectives with its FY 2021 allocation:

1. The creation of new affordable rental units for qualifying populations, and
2. Availability of rental assistance for qualifying populations.

AP-30 Methods of Distribution – 91.320(d)&(k)

Introduction:

This section of the FFY 2022 Annual Action Plan describes how each annual allocation of CDBG, ESG, HOME, HOME-ARP, NHTF, and HOPWA program funds will be distributed geographically throughout Florida.

Distribution Methods

Table 7 - Distribution Methods by State Program

1	State Program Name:	Florida Emergency Solutions Grant Program
	Funding Sources:	ESG
	Describe the state program addressed by the Method of Distribution.	<p>The ESG Program is a formula grant program based upon the demographics of Florida’s counties and cities. DCF receives grant funds directly from HUD and will sub-grant the ESG funds to CoC lead agencies to carry out activities consistent with their local CoC Plans. Eligible program participants must meet the “homeless” definition in 24 CFR § 576.2. Rapid re-housing assistance program participants must also meet the requirements described in 24 CFR § 576.104. HUD established alternative requirements and waived section 415(a)(4) and (5) of the McKinney-Vento Homeless Assistance Act and 24 CFR 576.104 to the extent necessary to provide additional flexibility for recipients and subrecipients administering rapid re-housing assistance with ESG funds under the CARES Act. This waiver is provided in notice CPD-21-05 dated April 14, 2021 which also provides flexibility to habitability inspections.</p> <p>Lead agencies may sub-contract with local governments and nonprofits to provide ESG activities in their respective areas. Funding for local projects will be determined by the lead agencies and approved by DCF.</p>

<p>Describe all of the criteria that will be used to select applications and the relative importance of these criteria.</p>	<p>Grant applications in state FY19-20 were awarded on a three-year grant cycle. The award distribution follows guidelines set forth in the solicitation as described in previous years' action plans. Recurring funds may be made available based on factors including, but not limited to, the initial grant awards, poverty rates, unsheltered rates, number of homeless individuals, proposed activities, and the receipt of funding from HUD.</p>
<p>If only summary criteria were described, how can potential applicants access application manuals or other state publications describing the application criteria? (CDBG only)</p>	<p>Not applicable to ESG</p>
<p>Describe the process for awarding funds to state recipients and how the state will make its allocation available to units of general local government, and non-profit organizations, including community and faith-based organizations. (ESG only)</p>	<p>The ESG Program will receive a total allocation of \$5,960,758 in funding for federal fiscal year 2022. DCF will require local lead agencies follow 24 CFR § 576.100(b) and spend no more than 60 percent on Street Outreach and Emergency Shelter combined. Additionally, CoCs may spend no more than 5 percent of awarded ESG funds on administrative costs. The types of services funded include: Street Outreach, Emergency Shelter, Homelessness Prevention, Rapid Rehousing, and Homeless Management Information System costs among the 27 CoC lead agencies to provide services consistent with the CoC plans to address homelessness. The Office on Homelessness maintains for its administrative costs, the remaining balance allowed under 24 CFR 576.100 for the administration of ESG and the provision of technical assistance to service providers and local CoCs.</p>

<p>Identify the method of selecting project sponsors (including providing full access to grassroots faith-based and other community-based organizations). (HOPWA only)</p>	<p>Not applicable to ESG.</p>
<p>Describe how resources will be allocated among funding categories.</p>	<p>The ESG Program will receive a total allocation of \$5,960,758 in funding for federal fiscal year 2022. DCF will require local lead agencies follow 24 CFR § 576.100(b) and spend no more than 60 percent on Street Outreach and Emergency Shelter combined. Additionally, CoCs may spend no more than 5 percent of awarded funds on administrative costs. The types of services funded include: Street Outreach, Emergency Shelter, Homelessness Prevention, Rapid Rehousing, and Homeless Management Information System costs among the 27 CoC lead agencies to provide services consistent with the CoC plans to address homelessness. The Office on Homelessness maintains for its administrative costs, the remaining balance allowed under 24 CFR 576.100 for the administration of ESG and the provision of technical assistance to service providers and local CoCs.</p>
<p>Describe threshold factors and grant size limits.</p>	<p>The maximum award amount for any lead agency is \$400,000 with a maximum 5 percent administration budget. The lead agencies will plan and coordinate activities within their local area that are consistent with CoC plans. Sub-providers of services will be local governments and nonprofit organizations and their threshold funding amounts will be decided by the lead agencies and approved by the Office on Homelessness.</p>

	<p>What are the outcome measures expected as a result of the method of distribution?</p>	<p>The anticipated outcome measures for the ESG Program are based on the number of homeless service providers and shelters that receive funding assistance, the number of individuals who benefit from emergency shelter assistance, the number of individuals who receive rapid rehousing assistance, the number of individuals who maintain permanent housing and the number of individuals who are remain stably housed in incremental months after receiving assistance.</p>
2	<p>State Program Name:</p>	<p>Florida Emergency Solutions Grant Program - CV</p>
	<p>Funding Sources:</p>	<p>ESG-CV</p>

<p>Describe the state program addressed by the Method of Distribution.</p>	<p>The ESG Program is a formula grant program based upon the demographics of Florida’s counties and cities. DCF receives grant funds directly from HUD and subgrants the ESG funds to CoC designated lead agencies to carry out activities consistent with their local CoC Plans. Eligible beneficiaries must meet the “homeless” definition in 24 CFR § 576.2. Rapid re-housing assistance beneficiaries must also meet the requirements described in 24 CFR § 576.104. HUD released Notice: CPD-21-08 July 19, 2021 which supersedes the Notice CPD-20-08, published September 1, 2020 and reestablishes the allocation formula and amounts and reestablishes and announces new requirements for the \$3.96 billion in funding provided for the Emergency Solutions Grants Program (ESG) under the Coronavirus Aid, Relief, and Economic Security Act (CARES Act). These ESG-CV funds must be used to prevent, prepare for, and respond to coronavirus among individuals and families who are homeless or receiving homeless assistance and to support additional homeless assistance and homelessness prevention activities to mitigate the impacts created by coronavirus. Requirements at 24 CFR Part 576 will apply to the use of these funds, unless otherwise provided by the alternative requirements and flexibilities established under the CARES Act, this Notice, or subsequent waivers, amendments, or replacements to this Notice.</p> <p>Lead agencies may sub-contract with local governments and nonprofits to provide ESG activities in their respective areas. Funding for local projects will be determined by the lead agencies.</p>
<p>Describe all of the criteria that will be used to select applications and the relative importance of these criteria.</p>	<p>The award distribution follows guidelines set forth in the solicitation as described in previous years’ action plans.</p>

<p>If only summary criteria were described, how can potential applicants access application manuals or other state publications describing the application criteria? (CDBG only)</p>	<p>Not applicable to ESG-CV</p>
<p>Describe the process for awarding funds to state recipients and how the state will make its allocation available to units of general local government, and non-profit organizations, including community and faith-based organizations. (ESG only)</p>	<p>DCF will require CoC lead agencies to follow federal regulations and may spend no more than 7.5% percent of awarded funds on administrative costs. The types of services funded include Street Outreach, Emergency Shelter, Homelessness Prevention, Rapid Rehousing, and Homeless Management Information System costs as needed to respond to the housing needs stemming from the COVID-19 pandemic and providing funds for coronavirus response in homeless assistance and prevention services.</p>
<p>Identify the method of selecting project sponsors (including providing full access to grassroots faith-based and other community-based organizations). (HOPWA only)</p>	<p>Not applicable to ESG-CV</p>

<p>Describe how resources will be allocated among funding categories.</p>	<p>The ESG-CV Program received a total allocation of \$85,896,094 in funding for federal fiscal year 2021, and DCF anticipates an estimated balance of \$7,000,000 will be available for federal fiscal year 2022 to respond to the housing needs stemming from the COVID-19 pandemic and providing funds for coronavirus response in homeless assistance and prevention services. DCF will require local lead agencies follow federal regulations and spend no more than 7.5% of awarded funds on administrative costs. The types of services funded include Street Outreach, Emergency Shelter, Homelessness Prevention, Rapid Rehousing, and Homeless Management Information System costs among the 27 CoC agencies to provide services consistent with the CoC plans to address homelessness. The Office on Homelessness maintains for its administrative costs, 2.5% as allowed for the administration of ESG-CV and the provision of technical assistance to service providers and local CoCs.</p>
<p>Describe threshold factors and grant size limits.</p>	<p>From the fiscal year 2021 allocation of ESG-CV funds, the maximum award amount for any CoC lead agency was \$9,056,658 with a maximum 7.5 percent administration budget. The balance of funds from fiscal year 2021 may be carried over into FY 2022. The lead agencies will plan and coordinate activities within their local area that are consistent with CoC plans. Sub-providers of services may be local governments and nonprofit organizations and their threshold funding amounts will be decided by the lead agencies and approved by the Office on Homelessness.</p>

	<p>What are the outcome measures expected as a result of the method of distribution?</p>	<p>The anticipated outcome measures for the ESG-CV Program are based on the number of homeless service providers and shelters that receive funding assistance, the number of individuals who benefit from emergency shelter assistance, the number of individuals who receive rapid rehousing assistance, the number of individuals who maintain permanent housing and the number of individuals who are remain stably housed in incremental months after receiving assistance.</p>
3	<p>State Program Name:</p>	<p>Florida HOME Investment Partnership Program</p>
<p>Funding Sources:</p>	<p>HOME</p>	
<p>Describe the state program addressed by the Method of Distribution.</p>	<p>HOME funds are allocated to provide necessary financial support for various activities, creating long-term affordable, safe, decent and sanitary housing for very low- and low-income persons and households. FHFC works with both the public and private sector throughout the state to assist in meeting the needs of affordable housing, particularly in rural areas when development capacity exists. FHFC distributes HOME funds either through a RFA process, a Request for Qualifications (RFQ) process, a reservation system, or demonstration projects.</p>	
<p>Describe all of the criteria that will be used to select applications and the relative importance of these criteria.</p>	<p>Application selection criteria for the HOME Program varies based upon the type of funding priority determined by FHFC for allocation distribution and amount of funding available to achieve funding priorities determined by FHFC. For example, scoring criteria for larger scale rental development priority projects would be based on level of experience of the applicant with implementation of HOME funds and Davis-Bacon federal requirements and the amount of funding available as leverage to the project. However, FHFC uses a different scoring criteria for smaller scale rural projects that are unable to provide leverage funds to a project and instead base priority funding projects by level of experience or need, and past project performance.</p>	

<p>If only summary criteria were described, how can potential applicants access application manuals or other state publications describing the application criteria? (CDBG only)</p>	<p>Not applicable to HOME.</p>
<p>Describe the process for awarding funds to state recipients and how the state will make its allocation available to units of general local government, and non-profit organizations, including community and faith-based organizations. (ESG only)</p>	<p>Not applicable to HOME.</p>
<p>Identify the method of selecting project sponsors (including providing full access to grassroots faith-based and other community-based organizations). (HOPWA only)</p>	<p>Not applicable to HOME.</p>

<p>Describe how resources will be allocated among funding categories.</p>	<p>The HOME Program will receive a total allocation of \$22,120,043 in funding for FY 2022. Of the total funding allocation, 15% will be reserved for developments sponsored by qualified Community Housing Development Organization (CHDO) applicants. In the event insufficient applications meeting the threshold are received to allocate the anticipated amount to rental developments, the remaining unallocated funds may be shifted to homeownership activities. The same applies to homeownership activities, so the remaining unallocated funds may be shifted to rental activities. The remaining funds allocated will be awarded via the RFA/RFQ process or a reservation system based on the appropriate rule chapters, or through one or more demonstration projects that create affordable rental and homeownership opportunities through construction or rehabilitation of housing units or through direct homebuyer or rental assistance. Ten percent of the total annual allocation will be used by FHFC for administrative costs pursuant to 24 CFR § 92.207.</p>
<p>Describe threshold factors and grant size limits.</p>	<p>The grant size limits imposed by FHFC for the RFA/RFQ process(es) each year are based on the size of the project and the type of priority criteria scoring determined by FHFC HOME Program staff.</p>
<p>What are the outcome measures expected as a result of the method of distribution?</p>	<p>The HOME Program performance outcomes are based on how many affordable homeownership and rental housing units are constructed or rehabilitated and how many low- and moderate-income beneficiaries receive purchase assistance or rental assistance. In 2022, it is expected that the HOME Program will finance construction or rehabilitation of 255 affordable housing units- and rental assistance for affordable rental housing for 50 households.</p>

4	State Program Name:	Florida Housing Opportunities for Persons With AIDS (HOPWA) Grant Program
	Funding Sources:	HOPWA
	Describe the state program addressed by the Method of Distribution.	<p>The State HOPWA Program may receive a total allocation of \$8,876,983 in funding for fiscal year 2022. Of the total funding allocation, 97% of the grant award will be spent to benefit eligible persons whose income does not exceed 80 percent of the median family income for the area served. Eligible activities include rental payments, security deposits, and utility allowances to promote housing opportunities for persons living with HIV/AIDS. The remaining 3% of the funding will be spent on administrative activities carried out by DOH.</p> <p>DOH currently contracts with 10 project sponsors to administer the State HOPWA Program in designated geographic areas, the majority of which are rural. The state program provides funds for HOPWA services in 52 of Florida's 67 counties, which includes the eligible metropolitan statistical area (EMSA) re-designations administered by the state. The remaining 15 counties are served by six EMSAs that receive funding directly from HUD.</p>
	Describe all of the criteria that will be used to select applications and the relative importance of these criteria.	The priority of applications is determined by how many low- and moderate-income beneficiaries with HIV/AIDS will be served and the past performance of the project sponsor that is requesting funds.
If only summary criteria were described, how can potential applicants access application manuals or other state publications describing the application criteria? (CDBG only)	Not applicable to HOPWA.	

<p>Describe the process for awarding funds to state recipients and how the state will make its allocation available to units of general local government, and non-profit organizations, including community and faith-based organizations. (ESG only)</p>	<p>Not applicable to HOPWA.</p>
<p>Identify the method of selecting project sponsors (including providing full access to grassroots faith-based and other community-based organizations). (HOPWA only)</p>	<p>A minimum of 97% of the State HOPWA grant award will be allocated statewide to project sponsors to provide eligible services and activities for the state program. These project sponsors are local community organizations and county health departments. In order to ensure that the state pays a fair and reasonable price for the services to be provided and to enhance quality, availability and collaboration within the state housing program, DOH drafted a Request for Proposal for six years from 2016 to 2022 with renewals for up to three years.</p> <p>Funds were allocated within each geographical area in accordance with the methodology described above. EMSA funds re-designated to the State HOPWA Program will be administered by DOH in the same manner and for the same activities as the State HOPWA Program.</p> <p>The State HOPWA Program currently has five community-based organizations, three county health departments, and two planning councils as HOPWA project sponsors providing services either directly or via subcontracts.</p>

	<p>Describe how resources will be allocated among funding categories.</p> <p>Florida distributes funds annually based on the cumulative number of persons living with HIV or AIDS cases in the geographical service areas. In addition, allocations are based on utilization rates and available funds. The allocation methodology is reviewed periodically, and DOH takes recommendations into account while making final annual allocation decisions. The six EMSAs in the state that qualify for direct HOPWA funding from HUD may be eligible to receive State HOPWA Program funds only when funds exist beyond the amount required to meet 100% of the need of the state program service areas.</p>
	<p>Describe threshold factors and grant size limits.</p> <p>The State HOPWA Program does not require specific threshold factors or grant size limits for annual allocation distribution to project sponsors. Instead, the program determines annual allocation amounts based on budgets submitted by the project sponsors, and the percentage of beneficiaries anticipated to be served by the grant funded projects and activities. The State HOPWA Program makes the final funding allocation determination based on the feasibility of the project sponsor’s budget proposal and amount of funding available to be distributed statewide.</p>
	<p>What are the outcome measures expected as a result of the method of distribution?</p> <p>The anticipated outcome measures for the State HOPWA Program are based on the number of persons with HIV/AIDS that receive financial assistance from project sponsors in the form of short-term rent, mortgage, and utility (STRMU) payments, tenant-based rental assistance (TBRA), permanent housing placement (PHP), short-term transitional assistance, resource identification, comprehensive housing case management and other supportive services, and other eligible housing services as per the State HOPWA Program goals and priorities.</p>
5	<p>State Program Name: Florida Small Cities Community Development Block Grant Program</p> <p>Funding Sources: CDBG</p>

<p>Describe the state program addressed by the Method of Distribution.</p>	<p>DEO receives an annual allocation from HUD to administer the Small Cities CDBG program. DEO publishes a Notice of Funding Availability (NOFA) in the Florida Administrative Register prior to the opening of the annual funding cycle. This NOFA informs Florida residents of the availability of CDBG funding, the amount of funding available, the program categories under which they can apply, and the opening and closing date of the funding cycle.</p> <p>When DEO receives notification of the annual allocation, the Small Cities CDBG Planning Manager reviews the allocation and makes recommendations for funding based on previous allocations and distributions, expected application submissions, and DEO priorities. The recommendations are then reviewed by the Small Cities and Rural Communities Bureau Chief, and are approved or revised.</p> <p>Deobligated funds and program income funds sometimes become available during the federal fiscal year. If emergency set-aside funds, deobligated funds, and/or program income funds become available, the Planning Manager and Bureau Chief meet to determine how to allocate these funds.</p> <p>Neighborhood Revitalization, Housing Rehabilitation, and Commercial Revitalization subgrants are awarded on a competitive basis. Economic Development subgrants are awarded on a competitive basis if the CDBG program receives more funding requests than there are funds available. Otherwise, eligible economic development projects are awarded on a first-come, first-served basis.</p>
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<p>Describe all of the criteria that will be used to select applications and the relative importance of these criteria.</p>	<p>The funding categories for the CDBG program are established by state law. The percentage of funds allocated for each category are determined based on public meetings, comments received on the Consolidated Plan and the Annual Action Plan, and past funding experience. The percentage of funds allocated to each category may be revised to ensure state compliance with HUD requirements for the timely award of funds. The criteria used for reviewing funding applications are outlined in federal regulations, state statutes, the program’s administrative rules and application manual, and the Consolidated Plan.</p> <p>Upon receipt of an application, an initial review is conducted to determine if threshold criteria have been met. This review is used as a screening method to ensure compliance with minimum application requirements and to ensure that applications from communities that are not in compliance with federal or state laws are not funded. Seven specific criteria established in Section 290.0475, Florida Statutes, establish the basis upon which DEO may reject an application without regard to scoring:</p> <ul style="list-style-type: none"> (1) The application is not received by the department by the application deadline; (2) The proposed project does not meet one of the three national objectives as contained in federal and state legislation; (3) The proposed project is not an eligible activity as contained in the federal legislation; (4) The application is not consistent with the local government’s comprehensive plan adopted pursuant to s. <u>163.3184</u>; (5) The applicant has an open community development block grant, except as provided in ¹s. <u>290.046(2)(b)</u> and (c) and department rules; (6) The local government is not in compliance with the citizen participation requirements prescribed in ss. 104(a)(1) and (2) and 106(d)(5)(c) of Title I of the Housing and
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	<p>Community Development Act of 1974, s. <u>290.046(4)</u>, and department rules; or</p> <p>(7) Any information provided in the application that affects eligibility or scoring is found to have been misrepresented, and the information is not a mathematical error which may be discovered and corrected by readily computing available numbers or formulas provided in the application.</p> <p>DEO does not award a grant until it has determined, based upon a site visit, that the project and/or activities are eligible in accordance with the description contained in the application, and that any open economic development grant is on time. If DEO determines after an application site-visit that any information in the application that affects scoring has been misrepresented, the application is rejected.</p>
<p>If only summary criteria were described, how can potential applicants access application manuals or other state publications describing the application criteria? (CDBG only)</p>	<p>The CDBG program is established in Sections 290.0401 through 290.048, F.S., and administered through Chapter 73C-23, Florida Administrative Code (F.A.C.). The statute and administrative code contain guidelines for who can apply for CDBG funding, the application process, and how the applications are scored and ranked. The CDBG application form, which is incorporated into the administrative rule by reference, gives the specific scoring criteria for the Economic Development, Neighborhood Revitalization, Housing Rehabilitation, and Commercial Revitalization applications. Information to be included in the application can be found on the HUD website, the Florida DEO website, and generated during the application process. The application form can be downloaded from DEO’s CDBG webpage: www.FloridaJobs.org/CDBGApplicantInfo.</p>

<p>Describe the process for awarding funds to state recipients and how the state will make its allocation available to units of general local government, and non-profit organizations, including community and faith-based organizations. (ESG only)</p>	<p>Not applicable to CDBG.</p>
<p>Identify the method of selecting project sponsors (including providing full access to grassroots faith-based and other community-based organizations). (HOPWA only)</p>	<p>Not applicable to CDBG.</p>
<p>Describe how resources will be allocated among funding categories.</p>	<p>Funding amounts are assigned to each funding category based on a need evaluation. For example, CDBG staff may determine that there is a higher demand and need for a particular category of projects throughout the state. These types of determinations are made based on the amount of applications that were received, but left unfunded from the prior federal fiscal year. The remaining funding categories would be assigned percentages based on the number of applications submitted in the prior funding cycle, and based on the goals and objectives that were chosen as priority needs and goals from the needs assessment and market analysis sections of the 2020-2024 Consolidated Plan.</p>

	<p>Describe threshold factors and grant size limits.</p>	<p>The local governments’ low- and moderate-income (LMI) population determines the maximum amount of funds for which they can apply. Population groupings are based on HUD-modified census figures summarizing low- and moderate-income population as shown in the following chart:</p> <p>LMI Population Subgrant Ceiling</p> <ul style="list-style-type: none"> • 1 – 499: \$600,000 • 500 – 1,249: \$650,000 • 1,250 – 3,999: \$700,000 • 4,000 – and above: \$750,000 <p>Economic Development subgrants: \$1.5 million</p>
	<p>What are the outcome measures expected as a result of the method of distribution?</p>	<p>The anticipated outcome measures for the CDBG program are based on the number and type of applications received from eligible sub-grantees in the four eligible categories (neighborhood revitalization, commercial revitalization, housing rehabilitation, and economic development). Outcome measures for these programs include the number of housing units rehabilitated; number of linear feet of sewer lines, water lines, and street paving and sidewalks completed; number of buildings receiving façade improvements; number of low- to moderate-income beneficiaries; and number of jobs created or retained.</p>
6	<p>State Program Name:</p>	National Housing Trust Fund Program
	<p>Funding Sources:</p>	HTF
	<p>Describe the state program addressed by the Method of Distribution.</p>	<p>HTF funds will be used in tandem with other financing programs to provide necessary financial support to create new, 30-year affordable rental housing for extremely low-income and very low-income households. FHFC will allocate HTF funds through an RFA process directly to eligible recipients.</p>

<p>Describe all of the criteria that will be used to select applications and the relative importance of these criteria.</p>	<p>The criteria listed below have all been deemed of equal relative importance.</p> <ul style="list-style-type: none"> • The development must be permanent rental housing and each NHTF-designated unit may have no more than two bedrooms; • The NHTF-designated units must remain affordable to extremely low-income and very low-income households through a Land Use Restriction Agreement for no less than 30 years, and the development must remain affordable at designated income levels for a minimum of 30 years; • The applicant must certify that it understands that by receiving NHTF funds, it commits to set aside the required number of units in its property for the priority households specified in this plan; • The applicant must show via its developer experience its ability to obligate NHTF funds and undertake eligible activities in a timely manner; • A description of the eligible activities to be conducted with the NHTF funds; • Extent to which the application makes use of non-federal funding sources; • Certification that applicant will comply with the requirements of the NHTF program and that housing units assisted with the NHTF will comply with NHTF requirements; • Be familiar with the requirements of other federal, state or local housing programs that will be used in conjunction with NHTF funds to ensure compliance with all applicable requirements and regulations of such programs through demonstrated experience with developing, owning and managing affordable multifamily rental housing developments; • To provide a Tenant Selection Plan during credit underwriting to carry out management practices related to leasing to homeless households or persons with special needs;
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	<ul style="list-style-type: none"> • Participate in the state’s “Link Strategy” which requires applicants awarded financing to work with at least one Special Needs Household Referral Agency working in that county that will refer eligible homeless, at-risk homeless or special needs households for residency in the NHTF-financed units; • Meet specified green building and accessibility standards; • Propose developments in locations that are proximate to public transportation options and amenities such as grocery stores and pharmacies; and • Accept the Tenant Application and Selection Requirements designed to lower barriers to entry for extremely low-income and very low-income households.
<p>If only summary criteria were described, how can potential applicants access application manuals or other state publications describing the application criteria? (CDBG only)</p>	<p>Not applicable to NHTF.</p>
<p>Describe the process for awarding funds to state recipients and how the state will make its allocation available to units of general local government, and non-profit organizations, including community and faith-based organizations. (ESG only)</p>	<p>Not applicable to NHTF.</p>

<p>Identify the method of selecting project sponsors (including providing full access to grassroots faith-based and other community-based organizations). (HOPWA only)</p>	<p>Not applicable to NHTF.</p>
<p>Describe how resources will be allocated among funding categories.</p>	<p>Ninety percent of the NHTF allocation will be used to finance affordable rental units for extremely low-income and very low-income households, and 10 percent of the allocation will be used by FHFC for administrative costs pursuant to § 93.202.</p>
<p>Describe threshold factors and grant size limits.</p>	<p>Pursuant to § 91.320(k)(5) and § 93.300(a), funding limits are based on maximum per-unit development subsidy amounts specified by FHFC and the portion of units that will be required to be set aside in a larger property to serve the populations targeted through the NHTF Program. For example, if four units out of 100 total units must be set aside for this purpose, the grant size limit will be based on the per-unit limit multiplied by four. FHFC has specified per-unit limits by unit mix (zero, one and two bedrooms); based on construction type (e.g., garden-style wood, high rise, etc.) and for three geographic cost regions of the state. While a development may have a mix of unit sizes and bedrooms, NHTF units with more than two bedrooms will be prohibited.</p>

	What are the outcome measures expected as a result of the method of distribution?	In 2021, it is expected that the NHTF program will assist in financing construction of 125 affordable rental units to serve extremely low-income and very low-income residents.
6	State Program Name:	HOME-ARP Program
	Funding Sources:	American Rescue Plan
	Describe the state program addressed by the Method of Distribution.	HOME-ARP funds will be used in tandem with other financing programs to provide necessary financial support to create new affordable rental housing for qualifying populations FHFC will allocate funds through new and existing solicitations. Additionally, FHFC will utilize HOME-ARP funds to expand existing TBRA programs.
	Describe all of the criteria that will be used to select applications and the relative importance of these criteria.	Application selection criteria varies depending on numerous criteria including funding available and paired resources. For example, scoring criteria for larger scale rental development priority projects would be based on level of experience of the applicant with implementation of HOME funds and Davis-Bacon federal requirements, where FHFC may uses different scoring criteria for projects where HOME-ARP is a smaller part of the funding mix. Additionally, the methods for selecting applications and awarding funds would be different for TBRA projects.
	If only summary criteria were described, how can potential applicants access application manuals or other state publications describing the application criteria? (CDBG only)	Not applicable to HOME-ARP.

<p>Describe the process for awarding funds to state recipients and how the state will make its allocation available to units of general local government, and non-profit organizations, including community and faith-based organizations. (ESG only)</p>	<p>Not applicable to HOME-ARP.</p>
<p>Identify the method of selecting project sponsors (including providing full access to grassroots faith-based and other community-based organizations). (HOPWA only)</p>	<p>Not applicable to HOME-ARP.</p>
<p>Describe how resources will be allocated among funding categories.</p>	<p>FHFC intends to allocate 86.9 percent of the HOME-ARP allocation to finance affordable rental units for qualifying populations, 7.0 percent to TBRA, and 6.1 percent of the allocation will be used by FHFC for administrative costs.</p>
<p>Describe threshold factors and grant size limits.</p>	<p>HUD guidance provided encourages participating jurisdictions to use HOME-ARP funds in tandem with other financing programs to provide necessary financial support when creating new affordable rental housing. FHFC anticipates using existing and new RFAs and approaches to create these new affordable rental housing solutions. Through this multifaceted approach, the number of HOME-ARP funded units and grant size will vary across communities based upon need and the ability to combine HOME-ARP with other resources to support developments.</p>
<p>What are the outcome measures expected as a result of the method of distribution?</p>	<p>FHFC expects the HOME-ARP program will assist in financing construction of 480 affordable rental units from the FY 2021 allocation to serve qualifying populations.</p>

Discussion:

In conclusion, the distribution methods in place for each of the HUD-funded grant programs described previously are aligned with the current federal regulations and HUD-issued guidance and are standard for each applicable annual allocation cycle. The distribution methods for all administered grant programs in the state are based on several factors, including both geography and demographics.

- The CDBG program bases allocation distribution methods on the eligible grantees who submit competitive scored applications that are awarded based on score and eligible project readiness.
- The ESG Program determines its allocation methodology using a competitive grant application that is scored based on the CoC's capacity to perform the services and the proposed activities to those who meet the definition of homeless or are at risk of homelessness. Recurring funds may be made available based on factors including, but not limited to, the initial grant awards, poverty rates, unsheltered rates, number of homeless individuals, proposed activities, and the receipt of funding from HUD.
- The HOPWA Program bases allocation distribution on the amount of funding available and the proportion of persons living with HIV/AIDS within the project sponsor areas.
- The NHTF Program bases allocation methods on a RFA process to ensure that over time, properties assisted with NHTF funds will be geographically dispersed throughout the state, but allocated only to experienced, qualified applicants that meet specific criteria to ensure that a high-quality development is built and then offers opportunities for residency to extremely low-income and very low-income populations that will be served with this funding.
- The HOME-ARP Program determines allocation awards by evaluating applicants' ability to serve qualifying populations and meet criteria set forth in the respective solicitations to either create new affordable housing units or provide tenant-based rental assistance for the intended households.

AP-35 Projects – (Optional)

Introduction:

The CDBG, ESG and HOPWA Programs do not provide money to specific projects. Each program allows eligible grantees to select new or continuation projects to apply their awarded funds toward, if the projects meet all grant program eligibility requirements and goals aligned with the Consolidated Plan.

HOME for rental developments are selected through a statewide RFA process. HOME-ARP funds are prioritized to further address the needs of the HOME Rental Program and Tenant Based Rental Assistance Program as described below. (HOME-ARP guidance provided by HUD does differ slightly from the federal regulations as it relates to CHDO set-aside requirements and matching requirements.) Eligible housing providers (nonprofits, for-profit developers, local governments, public housing authorities and CHDOs) are encouraged to apply for HOME funding. There are three primary criteria applicants must demonstrate: (1) ability to proceed with construction or rehabilitation; (2) experience in developing affordable housing; and (3) ability to leverage HOME funds.

The HOME Rental Program offers funds to eligible housing providers for the acquisition, rehabilitation, new construction, conversion of non-residential units to residential units and reconstruction of multifamily housing. HOME funds may be the primary source of financing or may bridge the gap between the development's primary financing and the total development costs. At least 15 percent of the annual allocation is set-aside for CHDO developments with the remaining funds being allocated to CHDO and other developments depending on the ranking.

HOME funds for homeownership fall under FHFC's Homeownership Pool (HOP) Program, under Rule 67-57, F.A.C., and is designed to be a non-competitive and on-going program with developers reserving funds for eligible homebuyers to provide purchase assistance on a first-come, first-served basis.

The HOP Program is available to nonprofit and for-profit organizations and the United States Department of Agriculture - Rural Development (USDA-RD).

HOME funds are used to provide financial support to families of low- to moderate-incomes with down payment and closing costs assistance up to the amounts stipulated in the HUD regulations. These funds require repayment if the homebuyer ceases to occupy the property as their primary residence during the affordability period, sells or transfer ownership or rents the property. Repayments are re-invested in the HOME program.

Tenant-Based Rental Assistance (TBRA) provides Public Housing Authorities (PHAs) who administer the HUD Section 8 Housing Choice Voucher Program with HOME TBRA funds to assist their local residents as these PHAs have a staggering wait list of potential applicants for housing.

NHTF Program developments will be selected through a statewide RFA process. Eligible applicants

(including nonprofit and for-profit developers and public housing authorities) will apply for NHTF funding in tandem with other primary affordable financing, e.g., Low Income Housing Tax Credits. This program will only offer financing for new construction of multifamily rental properties. NHTF funds will assist in bridging the gap between a development’s primary financing and its total development costs.

For information on CDBG-DR projects and priorities, please see the CDBG-DR Action Plans on the DEO Office of Disaster Recovery website (<https://floridajobs.org/community-planning-and-development/assistance-for-governments-and-organizations/disaster-recovery-initiative>).

#	Project Name

Table 9 – Project Information

Describe the reasons for allocation priorities and any obstacles to addressing underserved needs

Please see AP-25.

AP-38 Project Summary
Project Summary Information

AP-40 Section 108 Loan Guarantee – 91.320(k)(1)(iii)

Will the state help non-entitlement units of general local government to apply for Section 108 loan funds?

Yes. The state may help local non-entitlement units of local government apply for Section 108 loan funds *if* the local government can demonstrate a feasible and practical use of funds in compliance with program requirements. Use of CDBG funds to guarantee a Section 108 loan is not often considered to be practical based on the limited availability of CDBG funds and the significant needs of the many non-entitlement local units of government.

Available Grant Amounts

The maximum amount of an individual loan guarantee commitment that an eligible local government may receive is \$5 million.

Acceptance process of applications

The Section 108 loan guarantee application review and approval process is outlined below:

(1) Eligibility.

(a) Municipalities and counties on the U.S. Department of Housing and Urban Development's (HUD) list of non-entitlement local governments in Florida are eligible to apply for Section 108 loans guaranteed by the state of Florida's current and future Small Cities Community Development Block Grant allocations.

(b) Any project proposed for funding through the Small Cities Community Development Block Grant Loan Guarantee Program must be located within the jurisdictional boundaries of the non-entitlement local government that is applying for the loan.

(c) Section 108 loan requests must meet one of the three National Objectives to be eligible for consideration.

(2) Application Process.

(a) Eligible non-entitlement local governments seeking assistance through the Small Cities Community Development Block Grant Loan Guarantee Program may apply at any time during the year. The following application process must be followed:

1. The non-entitlement local government completes the Section 108 Pre-Application Questionnaire, Form SC-58, <http://www.flrules.org/Gateway/reference.asp?No=Ref-05349>; effective date: April 2015, which is hereby adopted and incorporated by reference, and submits it to DEO for review.

2. Following DEO's review and acceptance of the local government's responses to the Section 108 Pre-Application Questionnaire [sic], the local government requests a screening meeting with DEO. The meeting is held to determine if the proposed project meets all program requirements.
3. If DEO determines that the project is eligible for further consideration, the local government is invited to submit an loan request that contains the information required in [42 USC 5308](#), effective [sic] date: February 3, 2015, which is available at <http://uscode.house.gov/view.xhtml?req=granuleid:USC-prelim-title42-section5308&num=0&edition=prelim>, and which is incorporated herein by reference and [24 CFR part 570](#), subpart M. The local government must provide documentation to DEO that it has met the Citizen Participation requirements detailed in paragraph [73C- 23.0041\(1\)](#), F.A.C., with the exception that it only has to provide a project summary and draft budget at the second public hearing.

Please see the Grantee Unique Appendix for the complete response.

AP-45 Community Revitalization Strategies – 91.320(k)(1)(ii)&(iii)

Will the state allow units of general local government to carry out community revitalization strategies?

No.

State’s Process and Criteria for approving local government revitalization strategies

Not applicable.

AP-50 Geographic Distribution – 91.320(f)

Description of the geographic areas of the state (including areas of low-income and minority concentration) where assistance will be directed.

CDBG: The Florida Small Cities CDBG program does not allocate funding resources geographically. Instead, each year a NOFA is published inviting eligible non-entitlement municipalities and counties to submit an application for funding consideration. There are four program areas: Economic Development, Housing Rehabilitation, Neighborhood Revitalization, and Commercial Revitalization.

Before submitting an application, the local government must conduct a public hearing to receive input on what the community considers its highest priority need. Based on this information, the local government selects a project for funding and prepares an application for one of the four program areas. The local government must hold a second public hearing to inform the community of the proposed application and to seek public comment prior to submitting the application to DEO. CDBG staff review the applications received in each program category and rank them from the highest to the lowest score. Funding is awarded from the highest to the lowest ranked application until there are no funds available.

Allowing the local governments to establish their priority need based on the above described process is beneficial to CDBG subgrantees. It allows DEO to be more flexible in funding projects that are responsive to a local community's changing needs.

ESG. The ESG Program is a formula grant program based upon the demographics of Florida's counties and cities. DCF receives the grant funds directly from HUD and subgrants the ESG funds to units of general-purpose local government and/or non-profit organizations. Eligible program participants must meet the applicable definitions in 24 CFR 576.2. Rapid re-housing assistance program participants must also meet the requirements described in 24 CFR 576.104. All local government and non-profit recipients must consult with the CoCs operating within their jurisdiction before determining how ESG funds are allocated.

Please see the Grantee Unique Appendix for the complete response.

Geographic Distribution

Target Area	Percentage of Funds
STATEWIDE	100

Table 8 - Geographic Distribution

Rationale for the priorities for allocating investments geographically

The programs administered by the DOH, DCF, FHFC, and DEO are statewide. Rationale for geographic allocation is discussed by program in the previous response.

Discussion:

Please see above.

Affordable Housing

AP-55 Affordable Housing – 24 CFR 91.320(g)

Introduction:

All of the federal funded grant programs described in the 2020-2024 Consolidated Plan (CDBG, HOME, HOME-ARP, ESG, NHTF and HOPWA) have strategies to achieve affordable housing goals each year. The CDBG program supports affordable housing by providing funds for rehabilitation, or demolition and reconstruction, of housing units. The HOME Program addresses affordable housing for low- and very low-income households by providing rehabilitation, reconstruction, new construction and rental assistance activities. The ESG Program supports affordable housing by providing rapid re-housing assistance to homeless individuals and families. The HOPWA Program supports affordable housing by providing housing opportunities to persons living with HIV/AIDS. This includes adhering to Fair Market Rents (FMR) and rent reasonableness. The HOME and ESG Programs set affordable housing goals to achieve each federal fiscal year. The CDBG program bases their accomplishments on the number of beneficiaries served with housing rehabilitation funds each application cycle. The NHTF and HOME-ARP Programs will work in tandem with other affordable housing programs to finance new units for extremely low-income and very low-income residents.

One Year Goals for the Number of Households to be Supported	
Homeless	70
Non-Homeless	712
Special-Needs	34
Total	816

Table 9 - One Year Goals for Affordable Housing by Support Requirement

One Year Goals for the Number of Households Supported Through	
Rental Assistance	325
The Production of New Units	240
Rehab of Existing Units	145
Acquisition of Existing Units	0
Total	710

Table 10 - One Year Goals for Affordable Housing by Support Type

Discussion:

In conclusion, Affordable Housing continues to be a top priority for HUD-funded grant programs in the state based on the needs of various populations. All goals, objectives, and strategies to expand Affordable Housing efforts in each of the grant programs described throughout this Annual Action Plan align with the 2020-2024 Consolidated Plan and will be implemented in accordance with the allocation distribution methods described in the previous sections of this document.

AP-60 Public Housing - 24 CFR 91.320(j)

Introduction:

The CDBG, ESG and HOPWA programs do not allocate direct funding to Public Housing Agencies (PHAs), nor are they eligible to support competitive applications to request funding from any of the programs. FHFC contracts with certain PHAs to administer tenant-based rental assistance with HOME funds and PHAs may be eligible to apply for rental development funding through a RFA process. There are direct grant funding programs and initiatives available through the U.S. Department of Housing and Urban Development Office of Public and Indian Housing for PHAs who demonstrate good performance standing and are not designated as troubled based on low monitoring and performance scores. PHAs determined to have high performance records are eligible to receive direct funding in order to implement rental assistance and affordable housing programs such as Section 8 project-based rental assistance and voucher programs.

Actions planned during the next year to address the needs to public housing:

- Provide the tools and education necessary for public housing residents to seek self-sufficiency.
- Provide job training programs for public residents to maintain full-time employment.
- Provide rent disincentives to encourage public housing residents to budget finances properly.
- Create networking opportunities for public housing residents to work with after they no longer need assistance.

Actions to encourage public housing residents to become more involved in management and participate in homeownership:

- Provide the tools and education necessary for public housing residents to move toward the goal of self-sufficiency.
- Provide job training programs for public residents to maintain full-time employment.
- Provide rent disincentives to encourage public housing residents to budget finances properly.
- Create networking opportunities for public housing residents to work with after they no longer need assistance

If the PHA is designated as troubled, describe the manner in which financial assistance will be

provided or other assistance

N/A.

Discussion:

None.

AP-65 Homeless and Other Special Needs Activities – 91.320(h)

Introduction:

DCF, through the ESG Program, provides funding for activities such as emergency shelters, street outreach, homeless prevention, and rapid re-housing for homeless persons throughout Florida. Each of the funding categories have eligible activities that can be implemented with ESG funding to achieve annual goals and objectives.

DOH, through the HOPWA Program, provides funding for short-term transitional and short-term and long-term housing activities for persons living with HIV/AIDS.

FHFC, through the NHTF Program, will provide funding for permanent rental housing to serve households that are homeless or at risk of homelessness and/or have special needs, with property managers required to work with approved supportive service providers to seek these tenants. Additionally, homeless households are served indirectly through the HOME TBRA Program and as a HUD-identified qualifying population of the HOME-ARP Program.

The above federal funding programs described in the 2020-2024 Consolidated Plan target specific segments of the special needs population in Florida, but the CDBG Program do not directly fund special needs populations.

Describe the jurisdictions one-year goals and actions for reducing and ending homelessness including.

Reaching out to homeless persons (especially unsheltered persons) and assessing their individual needs.

DCF contracts with the 27 CoC lead agencies throughout Florida to create and implement outreach strategies that are specific to their community's needs. Case managers assess housing and service needs of this population, and arrange, coordinate, and monitor the delivery of services to meet individual needs. Unsheltered persons are engaged through street outreach for the purpose of providing immediate support, intervention, and connections to programs, social services, and housing. Individuals engaged in street outreach may be provided case management, emergency health services, emergency mental health services, and transportation to emergency shelters or other service facilities.

Additionally, DCF administers the Hope Florida – A Pathway to Prosperity that helps customers achieve economic independence. This program mobilizes care navigators to assist Floridians in identifying goals and removing barriers to economic self-sufficiency through partnerships with community-based organizations. Individuals and families utilize these services to resolve immediate needs such as housing, food assistance, and employment. The program has now provided family-centered assistance to more than 25,000 Floridians to help them achieve economic sufficiency.

Addressing the emergency shelter and transitional housing needs of homeless persons.

DCF contracts with the 27 CoC lead agencies throughout Florida to create and implement housing needs that are specific to their community's needs. In accordance with 24 CFR § 576.100(b), DCF will allocate up to 60 percent of the annual ESG award to the emergency shelter and street outreach components, a portion of this will fund services, maintenance and operation of emergency shelters. ESG cannot fund transitional housing.

Other projects addressing the transitional housing needs of people experiencing homelessness will be up for renewal in the CoC Notice of Funding Availability (NOFA) for 2022.

To meet the safe shelter needs for victims of domestic violence, Florida provides more than \$31 million in state and federal grants to support 42 domestic violence centers, providing over 39,000 emergency shelter nights of care. State revenue sources provide more than \$12 million of the funding for these emergency shelters.

Helping homeless persons (especially chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth) make the transition to permanent housing and independent living, including shortening the period of time that individuals and families experience homelessness, facilitating access for homeless individuals and families to affordable housing units, and preventing individuals and families who were recently homeless from becoming homeless again.

The ESG Program works with the 27 CoCs and their homeless service providers to provide the numbers and reasons for their respective jurisdiction's homeless population in relation to determining needs of homeless persons, including outreach, shelter, prevention services, and housing. ESG priority needs (as noted in Section AP-25) include street outreach, emergency shelter, homelessness prevention services and rapid rehousing. Up to sixty percent of ESG funds may be used for street outreach and shelter, while the remaining (excluding Administration and HMIS costs) is expected to be used for permanent housing solutions, including rapid rehousing and homelessness prevention. To address the needs of homeless persons within a jurisdiction, the CoC agencies must provide current and concrete data to ensure that the appropriate amount of funding, depending on funding allocation availability, is distributed properly among the eligible grant categories. The CoC agencies are also responsible for creating strategies and providing services to homeless persons within their jurisdiction that promote self-sufficiency and access to permanent housing options.

The CoC agencies within Florida implement a variety of programs that provide services to specific segments of the homeless populations including chronically homeless individuals and families, families with children, veterans and their families and homeless youth. The ESG Program provides funds directly to CoC lead agencies for operation and maintenance of emergency shelters, as well as for rapid rehousing. Other programs can include street outreach, job training, housing counseling and other similar programs. To supplement federal program funding CoC agencies and their homeless services

providers seek other funding sources available through public- and private-sector resources to implement their strategies to assist in promoting the transition into permanent housing and avoidance of being homeless once again. Specific strategies to promote self-sufficiency and transition out of homelessness include mental health and housing counseling services, job training, transitional housing with supportive services and permanent housing with temporary supportive services.

Homeless persons will also be assisted with the transition into permanent housing as a result of the creation of extremely affordable units set aside for homeless persons integrated into larger general occupancy through the NHTF and HOME-ARP Programs. Tenants for these units will be referred by providers such as CoC agencies and other providers serving homeless persons.

Helping low-income individuals and families avoid becoming homeless, especially extremely low-income individuals and families and those who are: being discharged from publicly funded institutions and systems of care (such as health care facilities, mental health facilities, foster care and other youth facilities, and corrections programs and institutions); or, receiving assistance from public or private agencies that address housing, health, social services, employment, education, or youth needs.

There are a number of private nonprofit housing and supportive housing service providers throughout Florida that specifically assist individuals and families with low- and extremely low-incomes and implement strategies to avoid homelessness. The NHTF and HOME-ARP Programs will provide additional opportunities for these providers to work with properties to transition persons being discharged from various facilities, programs and institutions to affordable, independent housing integrated into the community and with service supports from the referring supportive services provider and partners. FHFC has committed a portion of its HOME-ARP funding to a pilot program that seeks to provide housing opportunities for individuals that meet the qualifying populations that are also high utilizers of publicly funded behavioral health programs. NHTF dollars are included in multiple RFAs that have a certain percentage of units set aside for individuals experiencing homelessness or those with disabling conditions as described above.

Many public housing authorities also implement programs and strategies for their clientele to receive the necessary support system to avoid becoming homeless and help them to achieve self-sufficiency. In regard to the state of Florida's efforts to assist in funding strategies and initiatives for this particular segment of the population, FHFC works with public housing authorities and other housing and supportive housing services to identify at-risk individuals or families within the homeless population (extremely low-income or zero-negative income) and monitor their need for public services such as sufficient housing, healthcare, social services, employment, education and youth needs. Additionally, the ESG program offers homelessness prevention services to assist individuals and families from becoming homeless.

Discussion:

Please see above.

AP-70 HOPWA Goals – 91.320(k)(4)

One year goals for the number of households to be provided housing through the use of HOPWA for:	
Short-term rent, mortgage, and utility assistance to prevent homelessness of the individual or family	1,055
Tenant-based rental assistance	240
Units provided in permanent housing facilities developed, leased, or operated with HOPWA funds	0
Units provided in transitional short-term housing facilities developed, leased, or operated with HOPWA funds	205
Total	1,500

AP-75 Barriers to affordable housing – 91.320(i)

Introduction:

The Shimberg Center for Housing Studies' 2022 Rental Market Study documents a substantial increase in Florida's rental stock between 2000 and 2017; however, the Study also shows a projected decline in affordable rental stock in the coming decade—particularly units renting for less than \$1,000 per month. There are both market and policy barriers to affordable housing that contribute to the shortage of affordable housing statewide, including the high cost of new construction, limited funding to subsidize affordable housing development, land use regulations, and neighborhood opposition to affordable development.

- Affordable housing is in poor condition (7.6/10)
- Landlords requiring 3x rent in monthly income (7.2/10)
- Excessively high security deposits/first and last month rent requirements (7.1/10)
- Loss of low-cost or market rate affordable housing due to revitalization/redevelopment (6.5/10)
- NIMBYism/community opposition or resistance to development by neighbors (6.3/10)
- Overly restrictive local land use and zoning regulations that limit development of affordable housing (5.9/10)
- Local growth limitations that limit the development of affordable housing (5.6/10)
- Lack of land zoned for affordable modest density development (5.4/10)
- Lack of land zoned for multifamily development (5.2/10)
- State law that limits inclusionary zoning requirements (5.1/10)
- State regulations governing evictions of renters (5.1/10)

As part of the stakeholder survey conducted for the Consolidated Plan, Florida stakeholders were asked to identify barriers to fair housing choice. Top barriers related to affordability that were identified by stakeholders included the following statements: [Numbers in parentheses indicate average level of severity reported by stakeholders on a scale from 1 to 10 where 1 is “not a fair housing barrier” and 10 is “a very serious fair housing barrier.”]

These barriers either prohibit or drive the cost of housing development that might otherwise have the potential to provide affordable units to those who need it. Challenges to addressing the barriers as identified by respondents include lack of funding for subsidies, Not in my back yard (NIMBYism), enforcement challenges, lack of transition assistance, especially for families, and limited access to public transportation, especially in rural or less urban areas where land prices may be less.

Actions it planned to remove or ameliorate the negative effects of public policies that serve as barriers to affordable housing such as land use controls, tax policies affecting land, zoning ordinances, building codes, fees and charges, growth limitations, and policies affecting the

return on residential investment.

Though many of the barriers identified previously are outside the purview of DEO, DOH, DCF and FHFC, these agencies will continue to allocate federal and state resources to affordable housing including housing rehabilitation, emergency shelter and transitional housing, permanent housing for people experiencing homelessness, housing services, rental and homeownership activities through Community Housing Development Organizations, and the new construction of affordable housing.

Discussion:

Please see above.

AP-85 Other Actions – 91.320(j)

Introduction:

In this section of the Annual Action Plan we will examine the additional actions, if any, that will be developed and implemented by each of the HUD-funded state agencies for the purpose of expanding outreach to areas of Florida that have been identified as underserved or have specific obstacles that must be addressed with program funding.

Actions planned to address obstacles to meeting underserved needs

DEO administers the CDBG program, which serves the needs of the states non-entitlement local governments through the grants that are awarded. Applications that are submitted by these local governments are based on comments received at local public hearings that allow citizens to identify their priority community needs and submit eligible projects for funding consideration.

The statutorily-created State Council on Homelessness, a statewide workgroup of members that include members of multiple statewide partner coalitions and representatives from various state agencies (including DCF, DEO, DOH, and FHFC) will continue to convene.

DCF administers the ESG Program and collaborates directly with Florida’s 27 CoC lead agencies to identify areas with high concentrations of underserved homeless populations and use the information collected to update and implement strategies to overcome obstacles identified. The ESG Program provides direct funding to the CoC lead agencies in the categories of emergency shelter, street outreach activities and permanent housing services.

FHFC administers the HOME, HOME-ARP and NHTF, which also serves on the Council on Homelessness and provides two important ways local governments and emerging nonprofits can learn more about and receive support on, affordable housing development issues. The Affordable Housing Catalyst Program provides training and technical assistance on federal and state affordable housing programs to local governments and nonprofit housing providers. FHFC contracts with a nonprofit technical assistance provider for this service. The Predevelopment Loan Program provides revolving loan funds to emerging nonprofits and PHAs interested in housing development and redevelopment. The program provides predevelopment loan funding to get a project started and technical assistance at no cost to the organization. Additionally, FHFC completed a statewide assessment of housing for homeless and special needs populations to determine the affordable housing and supportive housing needs from while also completing a financial modeling exercise to determine the costs of providing such housing.

Actions planned to foster and maintain affordable housing

The CDBG program does not fund affordable housing projects, but does provide grants for housing rehabilitation projects. Funded projects allow homeowners to remain in their homes and maintain the affordability of their homes. This also builds on Florida’s strategy to create and maintain affordable

options for its workforce.

The HOME Program provides program funding to produce and rehabilitate housing units for affordable homeownership and rental housing opportunities for low- and moderate-income working households addressing long-term affordability. Along with the HOME Program, FHFC uses a variety of other resources to provide affordable housing financing.

The HOME-ARP Program was designed to address the need for homelessness assistance. The first eligible use of funds identified was the development and support of affordable housing. Based upon the comprehensive statewide needs assessment discussed earlier in this Plan, FHFC has committed to using HOME-ARP funding to create new affordable housing solutions in Florida as well as ensure households have access to rental assistance to maintain housing stability.

The goal of the NHTF Program is used in tandem with other affordable financing to add new units to the supply of decent, affordable rental units for ELI and VLI households in Florida.

The goals of the State HOPWA Program are to increase housing stability, and to improve the quality of life for clients and their families. The State HOPWA Program achieves these goals by setting annual performance outcomes in the form of estimates of beneficiaries served, and of housing and supportive services provided.

Actions planned to reduce lead-based paint hazards:

Florida recognizes the relationship between health and lead poisoning, especially the risk it poses to children. The Florida Department of Health website provides a list of ways to prevent lead-based paint exposure, they include:

- Determining the construction year of the house or dwelling where a child spends a large amount of time (e.g., grandparents or daycare);
- Considering testing the home for lead-based paint and dust by an Environmental Protection Agency (EPA) certified lead risk assessor or inspector;
- Making sure the child does not have access to chipping, peeling, or chalking paint or chewable surfaces painted with lead-based paint;
- Creating barriers between living/play areas and lead sources;
- Ensuring children and pregnant women should not be present during renovation in housing built before 1978; and
- Considering renovation or repair work on a pre-1978 home, be sure to follow the EPA Lead- Safe Guide to Renovate Right.

The Florida Department of Health encourages the RRP Rule when considering renovations on any pre-1978 home. Also, the mission of Florida's Healthy Homes & Lead Poisoning Prevention Program

(FHHLPPP) is to protect the health and cognitive development of all children living in Florida by eliminating childhood exposure to all lead hazards.

The Florida Small Cities CDBG and the HOME programs require all applications for housing rehabilitation projects to determine the age of the house. Any home that was constructed before January 1, 1978, must be tested for lead-based paint and appropriate measures must be undertaken to safely remove and dispose of the paint in accordance with HUD requirements.

Actions planned to reduce the number of poverty-level families:

Florida recognizes the relationship between health and lead poisoning, especially the risk it poses to children. The Florida Department of Health website provides a list of ways to prevent lead-based paint exposure, they include:

- Determining the construction year of the house or dwelling where a child spends a large amount of time (e.g., grandparents or daycare);
- Considering testing the home for lead-based paint and dust by an Environmental Protection Agency (EPA) certified lead risk assessor or inspector;
- Making sure the child does not have access to chipping, peeling, or chalking paint or chewable surfaces painted with lead-based paint;
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Actions planned to develop institutional structure

Grantor agencies are constantly creating new innovative strategies to address gaps in their delivery systems. Some traditional examples of strategies being used are to leverage funds from other eligible grant programs or initiatives with existing allocations, provide more technical assistance funding to enhance outreach, and create spending caps on specific eligible categories to ensure that the funding

dollars are being properly distributed. These traditional strategies are not always effective, but they are the most commonly used because of their practicality. More innovative strategies include using technology, such as social surveys and social media devices, to constantly monitor the changing population in order to adjust their outreach and delivery methods to meet the priority needs of the community.

Actions planned to enhance coordination between public and private housing and social service agencies

Through the state's existing "Link Strategy," developers receiving finances through a number of FHFC's affordable rental development programs must reserve a small portion of units for tenants referred by an approved supportive services agency working in the community where the property is located. Populations served through this strategy include homeless persons and persons with special needs (including persons with disabilities, survivors of domestic violence and youth aging out of foster care). Properties financed with NHTF Program funding will also be required to implement this approach, with the addition of those at risk of homelessness being able to be served. FHFC is working with other state agencies to implement this strategy.

Discussion:

Please see above.

Program Specific Requirements

AP-90 Program Specific Requirements – 91.320(k)(1,2,3)

Introduction:

The CDBG program anticipates receiving \$118,476 in program income this year. The program will not receive any proceeds from Section 108 loan guarantees, and there are no urban renewal settlements, lines of credit, or float-funded activities.

Community Development Block Grant Program (CDBG)

Reference 24 CFR 91.320(k)(1)

Projects planned with all CDBG funds expected to be available during the year are identified in the Projects Table. The following identifies program income that is available for use that is included in projects to be carried out.

1. The total amount of program income that will have been received before the start of the next program year and that has not yet been reprogrammed	118,476
2. The amount of proceeds from section 108 loan guarantees that will be used during the year to address the priority needs and specific objectives identified in the grantee's strategic plan	0
3. The amount of surplus funds from urban renewal settlements	0
4. The amount of any grant funds returned to the line of credit for which the planned use has not been included in a prior statement or plan.	0
5. The amount of income from float-funded activities	0
Total Program Income	118,476

Other CDBG Requirements

1. The amount of urgent need activities	0
2. The estimated percentage of CDBG funds that will be used for activities that benefit persons of low-and moderate-income	70.05%

HOME Investment Partnership Program (HOME)

Reference 24 CFR 91.320(k)(2)

1. A description of other forms of investment being used beyond those identified in Section 92.205 is

as follows:

FHFC does not use any other forms of investment with HOME Program funds other than those described in 24 CFR § 92.205(b).

2. A description of the guidelines that will be used for resale or recapture of HOME funds when used for homebuyer activities as required in 92.254, is as follows:

Funds that are loaned to an eligible borrower in conjunction with the Homeownership Loan Program competitive cycle and the Homeownership Pool Program will conform to the following guidelines:

- A. At the time of purchase, the initial buyer must satisfy the two following criteria:
 - 1. Must be a low-income family (have an income of 80 percent or less of the median income for the area), and
 - 2. Must occupy the acquired property as the principal residence.

HOME-assisted units shall comply with the purchase price limitation requirements in CFR 24 §

92.254. Eligible homebuyers can receive a zero percent interest rate, deferred payment, subordinate mortgage loan. Repayment of the loan, in accordance with these recapture provisions, is expected if (1) the borrower sells, transfers, or disposes of the assisted unit (either by sale transfer, bankruptcy, foreclosure, or the like), (2) the borrower or a co-borrower dies, and as a result title to the property is transferred to a non-borrower, or (3) the loan matures.

3. A description of the guidelines for resale or recapture that ensures the affordability of units acquired with HOME funds? See 24 CFR 92.254(a)(4) are as follows:

FHFC utilizes option (ii) under 24 CFR § 92.254(a)(5)(ii), as its method of recapturing HOME Program funds under any Homebuyer Program the state administers. Resale is not currently utilized. If resale is to be used in the future, the plan will be amended.

A. FHFC will recapture the entire amount of the HOME Investment in the property. If the sale of the unit does not have sufficient proceeds to cover the original HOME investment, the amount recaptured will be the net proceeds (i.e., the sales price minus superior loan repayment, other than HOME funds and closing costs). This method of recapture will be identified in the down payment assistance documents which include a homebuyer agreement with FHFC, promissory note and recorded subordinate mortgage.

Period of Affordability

The recapture provisions are in effect for a period of affordability. This period is based on the

amount of direct HOME subsidy to the buyer, as follows:

Amount of HOME funds that were direct subsidy to buyer Period of affordability

Under \$15,000 5 years

\$15,000 to \$40,000 10 years

Over \$40,000 15 years

Principal Residency

The initial buyer must reside in the home as his/her principal residence for the duration of the period of affordability.

Triggering Recapture of HOME funds

If, during the period of affordability, an owner voluntarily or involuntarily transfers his/her property (e.g., through a sale or foreclosure), these recapture provisions go into effect.

The amount subject to recapture is the direct HOME subsidy.

The direct HOME subsidy is the total amount of HOME assistance that enables the buyer to purchase the unit, including a down payment, closing cost assistance and the amount that reduces the purchase price from fair market value to an affordable price.

FHFC can never recapture more than the amount of available net proceeds upon sale. Net proceeds are the sales price of the home minus superior loan repayment (not including HOME loans) and any closing costs.

Noncompliance

During the affordability period, noncompliance occurs when an owner vacates the unit or rents the unit to another household, or sells or transfers the home without FHFC receiving recaptured funds due at time of sale. In the event of noncompliance, the owner is subject to repay any outstanding HOME funds invested in the housing. Repayment is based on the total amount of HOME funds invested, including both development funds and direct subsidy to the buyer minus any principal HOME loan repayments

4. Plans for using HOME funds to refinance existing debt secured by multifamily housing that is rehabilitated with HOME funds along with a description of the refinancing guidelines required that will be used under 24 CFR 92.206(b), are as follows:

FHFC has no plans to utilize this financing structure.

Emergency Solutions Grant (ESG) Reference 91.320(k)(3)

1. Include written standards for providing ESG assistance (may include as attachment)

In accordance with federal rule to state recipients, the Department of Children and Families (DCF) shall require the local grantees to establish and implement the written standards required under 24 CFR § 576.400(e)(2). The local grantees shall establish their written standards, and submit them to the DCF for review and approval. The approval by DCF is required prior to the execution of the grant agreement with the local grantee.

The responsibility for CoCs to establish the written standards to the local grantee is consistent with Florida's statutes. In accordance with section 420.624, Florida Statutes, homeless services are intended to be tailored to the unique needs of each community. The homeless planning shall be done at the community level, as is the delivery of services and housing to those in need.

As the ESG recipient, and in accordance with 24 CFR § 578.7, DCF will require CoCs to consult with the Department on establishing and consistently following written standards for providing CoC assistance. All such standards shall be consistent with the provisions specified in 24 CFR § 576.400.

Required Written Standards

- a. Standard policies and procedures for evaluating individuals' and families' eligibility for assistance under the ESG.

Minimum Standards: (1) Consistency with the definition of homeless and at-risk homeless set forth in 24 CFR § 576.2; (2) The record keeping requirements in 24 CFR § 576.500 (b)-(e).

DCF's Limitation: Local recipients shall not use the risk factor for homelessness allowed under 24 CFR § 576.2 related to an individual, who "otherwise lives in housing that has characteristics associated with instability and an increased risk of homelessness."

- b. Standards for targeting and providing essential services related to street outreach activities.
- c. Policies and procedures for admission, diversion, referral and discharge by emergency shelters assisted under ESG. This must include standards regarding length of stay, if any, and safeguards to meet the safety and shelter needs of special populations, such as victims of domestic violence. Such standards shall also address the individuals and families who have the highest barriers to housing and are likely to be homeless the longest.
- d. Policies and procedures for assessing, prioritizing and reassessing individuals' and families' needs for essential services related to emergency shelter.
- e. Policies and procedures for coordination among emergency shelter providers, essential services providers, homelessness prevention, and rapid re-housing assistance providers; other homeless assistance providers; and mainstream service and housing providers.
- f. Policies and procedures for determining and prioritizing which eligible families and individuals will receive homelessness prevention assistance and which eligible families and individuals will receive rapid re-housing assistance.

- g. Standards for determining what percentage or amount of rent and utilities costs each program participant must pay while receiving homelessness prevention or rapid re-housing assistance.
- h. Standards for determining how long a particular program participant will be provided with rental assistance and whether and how the amount of that assistance will be adjusted over time.
- i. Standards for determining the type, amount, and duration of housing stabilization and/or relocation services to provide to a program participant, including the limits, if any, on the homelessness prevention or rapid re-housing assistance that each program participant may receive, such as the maximum amount of assistance, maximum number of months the program participant receive assistance; or the maximum number of times the program participant may receive assistance.
- j. Policies and procedures for coordination among homeless service providers, as well as mainstream service and housing providers.

DCF's priorities continue to be families with children, youth exiting from foster care, unaccompanied homeless youth, youth with DJJ involvement, and individuals with substance abuse and/or mental health concerns.

2. If the Continuum of Care has established centralized or coordinated assessment system that meets HUD requirements, describe that centralized or coordinated assessment system.

DCF contracts with 27 CoC lead agencies, covering 64 of Florida's 67 counties. Each CoC establishes and maintains their own coordinated entry system that adheres to HUD requirements outlined in 24 CFR § 578.7.

As the ESG recipient, and in accordance with 24 CFR § 578.7, DCF shall require all CoCs to consult with the Department in establishing and operating a centralized or coordinated assessment system. and CoC lead agencies to submit in their grant proposal, a certification that the applying agency is using the CoC's assessment system. Victim service providers may choose not to use the continuum's coordinated assessment system. If so, the victim service provider shall document this decision in writing.

3. Identify the process for making sub-awards and describe how the ESG allocation available to private nonprofit organizations (including community and faith-based organizations).

In 2019, DCF competitively awarded multi-year grants for the ESG program for the following activities:

- a. Emergency Shelters;
- b. Street outreach;
- c. Homelessness Prevention; and
- d. Rapid re-housing.

DCF made funds available to local CoC lead agencies in the state through a competitive solicitation process. The solicitation detailed the grant application requirements and allowed CoC lead agencies

to sub-contract to local governments and nonprofit direct service providers to carry-out programs consistent with CoC Plans. DCF published the solicitation using the state of Florida's Vendor Bid System that provided the dates for the submission of grant proposals. Submitted proposals underwent a completeness review to identify missing information that was required. Applicants were provided an opportunity to provide the missing information prior to the evaluation of the application. Applications were evaluated according to capacity and performance criteria, which served as a recommendation to the DCF's Secretary in making the grant award decision. Recurring funds may be made available based on factors including, but not limited to, the initial grant awards, poverty rates, unsheltered rates, number of homeless individuals, proposed activities, and the receipt of funding from HUD.

DCF will require local lead agencies follow 24 CFR § 576.100(b) and spend no more than 60 percent on Street Outreach and Emergency Shelter combined. Additionally, CoCs may spend no more than 5 percent of awarded funds on administrative costs. The types of services funded include: Street Outreach, Emergency Shelter, Homelessness Prevention, Rapid Rehousing, and Homeless Management Information System costs among the 27 CoC lead agencies to provide services consistent with the CoC plans to address homelessness. CoC lead agencies were responsible for determining, with the approval of the Office on Homelessness, the funding for subawards to local governmental agencies and nonprofit organizations.

DCF reserves the right to make awards at levels consistent with community needs and may grant awards to entitlement and non-entitlement jurisdictions, while prioritizing its grant awards to applicants that will carry out the grant funded activities in the non-entitlement jurisdictions in the state.

4. If the jurisdiction is unable to meet the homeless participation requirement in 24 CFR 576.405(a), the jurisdiction must specify its plan for reaching out to and consulting with homeless or formerly homeless individuals in considering policies and funding decisions regarding facilities and services funded under ESG.

24 CFR 576.405(a) excludes DCF as a state recipient from this requirement.

5. Describe performance standards for evaluating ESG.

Emergency Shelter Performance Goals:

1. Reduction in the unsheltered homeless population of the CoC area.
2. Reduction in the recipients' average length of stay for clients served in the shelter.
3. Percentage increase of persons exiting the shelter who transition to permanent housing.
4. Percentage increase of persons exiting the shelter who leave with employment income.
5. Percentage decrease of persons who exit and return to homelessness within three months.

Street Outreach Performance Goals:

1. Percentage increase of clients assessed who are successfully placed in housing.

2. Reduction in the number of unsheltered homeless persons in the CoC area.
3. Reduction in the average length of time of a person's homeless episode in the CoC area.
4. Percentage increase of clients assisted who were able to receive mainstream benefits, like Economic Self-Sufficiency (ESS) Program benefits.

Prevention and rapid re-housing Performance Goals:

1. Reduction in the number of households with children who are homeless in the CoC area, or reduction in the number of unaccompanied youth in the CoC area.
2. Increase in the proportion of the participants served that remained in permanent housing six months following the last assistance provided under the grant.

Housing Trust Fund (HTF)
Reference 24 CFR 91.320(k)(5)

1. How will the grantee distribute its HTF funds? Select all that apply:

Applications submitted by eligible recipients

2. If distributing HTF funds through grants to subgrantees, describe the method for distributing HTF funds through grants to subgrantees and how those funds will be made available to state agencies and/or units of general local government. If not distributing funds through grants to subgrantees, enter "N/A".

N/A

3. If distributing HTF funds by selecting applications submitted by eligible recipients,

a. Describe the eligibility requirements for recipients of HTF funds (as defined in 24 CFR § 93.2). If not distributing funds by selecting applications submitted by eligible recipients, enter "N/A".

All applicants must meet specific mandatory items to be eligible for scoring. Not providing these requirements or providing them incorrectly will cause the application to be ineligible for funding. For RFAs that include NHTF funding, applicants must, in summary, meet the following threshold requirements in addition to the NHTF criteria described:

- submission requirements, such as meeting the application deadline, submitting all required forms and paying the application fee, if there is one;
- completion of all required items in the application and submitting all required forms such as those showing local government signatures on availability of appropriate zoning and infrastructure;
- showing evidence of site control;
- meeting all funding requirements, such as not requesting funding over limits imposed in the RFA;
- submitting financing information, public and private funding commitments and a development cost pro forma and construction/permanent financing analysis;
- not be in financial arrearage in any existing property; meet minimum scores on any scored items in the RFA, if specified (scoring discussed below); and

- a multi-page certification signed by the applicant that includes the certifications described above in addition to others related to meeting the requirements of the RFA.

In partial summary, a certification and/or acknowledgement of the following:

- due dates for items to be submitted in credit underwriting if awarded financing;
- that all building codes, including Fair Housing Act, ADA and other required codes will be met;
- that the applicant’s commitments will be included in a land use restriction agreement and, if applicable, an extended use agreement;
- that all required construction features, including green building requirements as specified in the RFA, will be addressed;
- that resident services programs committed to in credit underwriting will be implemented;
- that a memorandum of understanding with a supportive services referral agency under the state’s “Link Strategy” will be executed and implemented and tenant selection plan will be developed and implemented that includes income and credit strategies recognizing that the extremely low-income households to be served may have credit, income, criminal and rental histories that may be a barrier to tenancy at the property;
- that all financial requirements specified in the RFA will be met;
- that the third party information required for the RFA has been reviewed by the applicant and is accurate; and
- Cooperation with all audits.

b. Describe the grantee’s application requirements for eligible recipients to apply for HTF funds. If not distributing funds by selecting applications submitted by eligible recipients, enter “N/A”.

In addition to applicable rules, statutes and RFA criteria, applications for funding submitted by eligible applicants will be reviewed according to the following NHTF criteria:

- provision of a description of the eligible activities to be conducted with HTF funds;
- the extent to which the application makes use of non-federal funding sources;
- certification that the applicant understands that by receiving HTF funds they commit to set aside the required number of units in its property for the priority households of the HTF program and certify they will comply with the requirements of the HFT program and that the housing units will comply with HTF requirements; and
- demonstrate their ability to obligate HTF funds and their experience and financial capacity to undertake, comply with and conduct eligible HTF activities and undertake HTF activities in a timely manner.

Additionally, with the exception of developments that mainly serve persons with special needs where the provision of supportive services is incorporated into a broader permanent supportive housing

strategy, applicants for funding for general occupancy properties that include NHTF units will be eligible for NHTF funding if they commit to participate in the state’s “Link Strategy,” which requires applicants awarded financing to work with at least one Special Needs Household Referral Agency working in that county that will refer eligible homeless, at-risk homeless or special needs households for residency in the NHTF-financed units.

Also, in order to be eligible for NHTF funding, applicants also must commit to develop tenant selection plans that include strategies that demonstrate specific tenant selection and application strategies to address barriers to tenancy that the extremely low-income households to be served may have with credit, income, criminal and rental histories.

c. Describe the selection criteria that the grantee will use to select applications submitted by eligible recipients. If not distributing funds by selecting applications submitted by eligible recipients, enter “N/A”.

Only applications that meet mandatory threshold items will be eligible for funding. The FHFC director appoints staff to a review committee. Each committee member independently evaluates and scores their assigned portions of the submitted applications, consulting with non-committee program staff and legal staff if necessary and appropriate.

At the review committee meeting, members read their scores or findings of threshold eligibility into the record. Once the committee knows which applications meet eligibility requirements, funding selection begins with that group of applications. First, eligible applications are ranked from highest to lowest scoring application, with any tied scores separated by tie-breakers. Depending on the funding being offered (programs may have different associated statutory criteria), tiebreakers can include: leveraging of program funds (required in particular for the State Apartment Incentive Loan [SAIL] program); eligibility for the Florida Job Creation Funding Preference (required by state law); and lottery number. The applications are then selected to meet any goals specified in the RFA. To meet the goals, the committee reviews the list of ranked applications, choosing the highest ranked application that can meet the goals. In RFAs that include NHTF, goals will include requirements to select applications for new construction (since NHTF will not be used for rehabilitation, as discussed below). In addition, a “county award tally,” described above, is employed to disperse awards across counties as much as possible. Once funding is exhausted, the review committee finalizes its recommendations to present to the FHFC board.

d. Describe the grantee’s required priority for funding based on geographic diversity (as defined by the grantee in the consolidated plan). If not distributing funds by selecting applications submitted by eligible recipients, enter “N/A”.

The state of Florida will distribute NHTF funds by selecting applications submitted by eligible recipients on a competitive basis through FHFC’s RFA process. Funds will be made available in tandem with other financing to ensure geographic diversity, through an existing process that: proportionally aligns SAIL and

Low-Income Housing Tax Credit funding with affordable rental needs in the state based on the most recent cost burden data provided through triennial market needs studies carried out by the Shimberg Center for Housing Studies at the University of Florida. Program funding is proportionally distributed across large, medium and small counties based on these findings. Florida is commonly divided into three broad regions: north, central and south. Three of the seven large counties are located in South Florida, three are located in Central Florida and one is located in North Florida. Medium and small counties are located in all three regions with North Florida having the greatest number of small counties; and within large, medium and small county groupings, Florida regularly uses a “county award tally” to ensure that funding in each RFA is further distributed across as many counties as possible. For example, the tally might specify that once a development is awarded funding in a particular county, that county will not receive another development award unless eligible applications in all other counties have first been awarded.

e. Describe the grantee’s required priority for funding based on the applicant's ability to obligate HTF funds and undertake eligible activities in a timely manner. If not distributing funds by selecting applications submitted by eligible recipients, enter “N/A”.

As part of the RFA Process, the applicant must demonstrate their ability to obligate NHTF funds, their experience and their financial capacity to undertake, comply with and conduct NHTF eligible activities. In addition, show familiarity with the requirements of other federal, state or local housing programs that will be used in conjunction with NHTF funds to ensure compliance with all applicable requirements and regulations of such programs through demonstrated experience with developing, owning, and managing affordable multifamily rental housing developments. This will be done through showing prior developer experience by requiring applicants to list development information for a minimum specified number (depends on the combination of program funding in the RFA) of prior developments financed and built through affordable housing programs. In addition, for developments that will primarily serve special needs tenants, applicants are evaluated on a development experience narrative they submit to explain their experience serving the subpopulation(s) targeted; showing prior operating/management experience by requiring applicants to list general management company information for a minimum specified number (depends on the combination of program funding in the RFA) of prior affordable rental developments. For developments that will primarily serve special needs tenants, applicants are evaluated on an operating/managing experience narrative they submit to explain their experience serving the subpopulation(s) targeted; showing active developments affiliated with applicants that financed through any FHFC programs are in compliance; showing that applicants have no financial arrearages in any FHFC programs the applicants are currently funded through.

The applicant must show ability to undertake eligible activities in a timely manner; that is, there must be a reasonable expectation that the development will be placed in service within 24 months, which is typically outlined in closing agreements. The most critical way this is measured is the experience threshold described above.

f. Describe the grantee’s required priority for funding based on the extent to which the rental project has Federal, State, or local project-based rental assistance so that rents are affordable to extremely low-income families. If not distributing funds by selecting applications submitted by eligible recipients, enter “N/A”.

Florida will prioritize applications for funding which are able to maintain units affordable to extremely low-income households for at least 30 years without project based rental assistance. Florida’s experience indicates that combining capital subsidies for extremely low-income units with project based rental assistance is wasteful and limits the total number of units available to extremely low-income households. Maximizing the number of units affordable to extremely low-income households was a goal of Florida Housing long before Congress created the NHTF. For many years, Florida Housing worked to finance as many new extremely low-income rental units as possible, because the need for these units is high. The rental programs administered by FHFC are competitive; consequently, the state is able to encourage the inclusion of project based rental assistance in developments without the addition of NHTF.

Rather than using both types of funding to finance new extremely low-income units, the state’s objective is to create additional units for extremely low-income and very low-income households with NHTF. Thus, Florida will not prioritize applications which utilize project based rental assistance. FHFC established the maximum per-unit NHTF subsidy limits in this plan at a level that ensures that properties funded with NHTF will require less debt financing. With less hard-pay debt service, NHTF funded properties will have sufficient cash flow to support the units for 30 years. Where this cross-subsidization is insufficient, FHFC expects applicants to establish an operating deficit reserve to offset projected operating losses from extremely low-income and very low-income units identified during underwriting. Operating deficit reserves may be funded with NHTF and/or from other sources. No more than one-third of the state’s NHTF award will be used to fund operating deficit reserves.

g. Describe the grantee’s required priority for funding based on the financial feasibility of the project beyond the required 30-year period. If not distributing funds by selecting applications submitted by eligible recipients, enter “N/A”.

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h. Describe the grantee's required priority for funding based on the merits of the application in meeting the priority housing needs of the grantee (such as housing that is accessible to transit or employment centers, housing that includes green building and sustainable development features, or housing that serves special needs populations). If not distributing funds by selecting applications submitted by eligible recipients, enter "N/A".

RFAs also include scored items. RFAs providing financing for general occupancy properties that include a few NHTF units will include the following scoring opportunities based on information submitted by applicants: a score for a minimum local government financial contribution, as specified in the RFA, based on the size of the local government (higher contributions are required from bigger local governments that have access to more local housing dollars); a transit score, measuring the proposed development's proximity to public bus stops, bus rapid transit stops, or rail stops – the closer the proposed development is to transit, the more points received and the more intense the transit (rail or bus rapid transit compared to a regular bus stop), the higher the score; and a proximity score, measuring the proposed development's nearness to such resources as grocery stores, medical facilities, pharmacies and public schools, with a higher score for proposed developments that are closer to these resources.

RFAs offering financing for homeless or special needs populations provide opportunities for applicants to provide narrative sections to be scored as well. In the past FHFC has included narrative sections for applicants to describe: the population(s) to be served; the applicant's experience in developing and managing properties for these populations; access to public or other transit; proximity to shopping, employment, education and recreation; access to community based supportive services; and tenant selection policies and approach. Additional narrative criteria may be added to or replace existing narrative criteria by FHFC.

Because of FHFC's exacting RFA requirements, applications which meet all threshold mandatory criteria and any additional scoring criteria will be eligible for selection according to the scoring criteria in the RFA. Any of these eligible applications will be deemed to meet the state's priority housing needs, particularly those relating to serving extremely low-income persons with special needs.

i. Describe the grantee’s required priority for funding based on the extent to which the application makes use of non-federal funding sources. If not distributing funds by selecting applications submitted by eligible recipients, enter “N/A”.

In the RFA, applicants will be reviewed in accordance with the specific RFA criteria which will include the extent to which the application makes use of non-federal funding sources as compared to total units in the proposed development (leveraging factor). This may be measured by different methods, depending on the other funding being blended with NHTF. For example, FHFC can calculate the leveraging factor using any of these types of subsidies: The amount of any financial contribution from the local government to the development; the amount of SAIL or other state funding in the development; and/or the amount of other non-governmental sources of funding in the development, such as private or nonprofit loans or grants.

4. Does the grantee’s application require the applicant to include a description of the eligible activities to be conducted with HTF funds? If not distributing funds by selecting applications submitted by eligible recipients, select “N/A”.

Yes.

5. Does the grantee’s application require that each eligible recipient certify that housing units assisted with HTF funds will comply with HTF requirements? If not distributing funds by selecting applications submitted by eligible recipients, select “N/A”.

Yes.

6. Performance Goals and Benchmarks. The grantee has met the requirement to provide for performance goals and benchmarks against which the grantee will measure its progress, consistent with the grantee’s goals established under 24 CFR 91.315(b)(2), by including HTF in its housing goals in the housing table on the SP-45 Goals and AP-20 Annual Goals and Objectives screens.

Yes.

7. Maximum Per-unit Development Subsidy Amount for Housing Assisted with HTF Funds. Enter or attach the grantee’s maximum per-unit development subsidy limits for housing assisted with HTF funds.

The limits must be adjusted for the number of bedrooms and the geographic location of the project. The limits must also be reasonable and based on actual costs of developing non-luxury housing in the area.

If the grantee will use existing limits developed for other federal programs such as the Low Income Housing Tax Credit (LIHTC) per unit cost limits, HOME's maximum per-unit subsidy amounts, and/or Public Housing Development Cost Limits (TDCs), it must include a description of how the HTF maximum per-unit development subsidy limits were established or a description of how existing limits developed for another program and being adopted for HTF meet the HTF requirements specified above.

8. Rehabilitation Standards. The grantee must establish rehabilitation standards for all HTF-assisted housing rehabilitation activities that set forth the requirements that the housing must meet upon project completion. The grantee's description of its standards must be in sufficient detail to determine the required rehabilitation work including methods and materials. The standards may refer to applicable codes or they may establish requirements that exceed the minimum requirements of the codes. The grantee must attach its rehabilitation standards below.

In addition, the rehabilitation standards must address each of the following: health and safety; major systems; lead-based paint; accessibility; disaster mitigation (where relevant); state and local codes, ordinances, and zoning requirements; Uniform Physical Condition Standards; and Capital Needs Assessments (if applicable).

9. Resale or Recapture Guidelines. Below, the grantee must enter (or attach) a description of the guidelines that will be used for resale or recapture of HTF funds when used to assist first-time homebuyers. If the grantee will not use HTF funds to assist first-time homebuyers, enter "N/A".

N/A

10. HTF Affordable Homeownership Limits. If the grantee intends to use HTF funds for homebuyer assistance and does not use the HTF affordable homeownership limits for the area provided by HUD, it must determine 95 percent of the median area purchase price and set forth the information in accordance with §93.305. If the grantee will not use HTF funds to assist first-time homebuyers, enter "N/A".

N/A

11. Grantee Limited Beneficiaries or Preferences. Describe how the grantee will limit the beneficiaries or give preferences to a particular segment of the extremely low- or very low-income population to serve unmet needs identified in its consolidated plan or annual action plan. If the grantee will not limit the beneficiaries or give preferences to a particular segment of the extremely low- or very low-income population, enter "N/A."

Any limitation or preference must not violate nondiscrimination requirements in § 93.350, and the grantee must not limit or give preferences to students. The grantee may permit rental housing owners to limit tenants or give a preference in accordance with § 93.303(d)(3) only if such limitation or preference is described in the action plan.

The state of Florida will give a preference to the following segments of the extremely low-income population, which will also be integrated into the written agreements with the recipients of NHTF: persons and households with incomes at or below 22 percent of area median income in order to serve those at or near the Supplemental Security Income (also known as SSI) level and that are persons with special needs, defined in Florida Statute at 420.0004(13); and/or homeless households as defined by FHFC including persons and families at risk of homelessness.

These households have limited access to high quality, affordable housing and few new units of housing or rental assistance affordable to these residents are being made available. Households that receive SSI as their only income are at median income levels of approximately 22 percent. As discussed in the Needs Assessment section of the 2020-2024 Consolidated Plan, there are about 415,000 cost burdened renter households (i.e., those paying more than 30 percent of one's income for rent and utilities) with incomes up to 30 percent of area median income in Florida. The latest Rental Market Study identifies 768,000 cost burdened renter households when looking at households paying more than 40 percent of its income for gross rent, including utility costs. In an earlier evaluation of resident incomes served throughout FHFC's rental portfolio, out of 154,000 units reporting, less than 100 were targeted to renters with incomes this low, because current programs are not financially structured in such a way to allow rents to be low enough to serve this income group. Targeting households at this level allows Florida to add a new lower income level to the Florida extremely low-income units already being financed through state housing programs.

Florida will prioritize use of NHTF funds for developments that commit to integrate a small number of NHTF-funded units serving the populations described above into various types of properties, including general occupancy affordable housing properties serving family and elderly households with a range of incomes up to 60 percent of area median income in most cases, properties that serve a range of demographic populations and properties that are targeted to persons with special needs or who are homeless. NHTF-financed units will comprise only a small portion of total units in any property, but may be in addition to other Florida extremely low-income and/or very low-income units provided at the property. NHTF funding will be blended with other program financing, such as Multifamily Mortgage Revenue Bonds and State Apartment Incentive Loan (SAIL) gap funds, to finance general occupancy properties that include these units. Any development that has more than five NHTF-assisted units will be required to submit an Affirmative Marketing procedure in accordance with the requirements at § 93.350, together with the signed written agreement.

12. Refinancing of Existing Debt. Enter or attach the grantee's refinancing guidelines below. The guidelines describe the conditions under which the grantee will refinance existing debt.

The grantee's refinancing guidelines must, at minimum, demonstrate that rehabilitation is the primary eligible activity and ensure that this requirement is met by establishing a minimum level of rehabilitation per unit or a required ratio between rehabilitation and refinancing. If the grantee will not refinance existing debt, enter "N/A."

N/A

Discussion:

Please see the Grantee Unique Appendix for the complete response.

From: /O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=E1B65E53BD4B4E65B15DBF19FA0CDD50-KELLY, ALEX

Sent: Sunday, June 26, 2022 7:49 PM

To: Melnick, Benjamin [Benjamin.Melnick@deo.myflorida.com]; Christina.Smith [Christina.Smith@LASPBS.STATE.FL.US]; Spencer, Chris [Chris.Spencer@LASPBS.STATE.FL.US]; Pollins, Stu [Stu.Pollins@LASPBS.STATE.FL.US]; Coyle, Frances [Frances.Coyle@LASPBS.STATE.FL.US]; Gunder, Brandi [Brandi.Gunder@LASPBS.STATE.FL.US]; Ivey, Meredith [Meredith.Ivey@deo.myflorida.com]; Katie Smith [Katie.Smith@deo.myflorida.com]; Eagle, Dane [Dane.Eagle@deo.myflorida.com]; katie.crofoot@laspbs.state.fl.us; Schrader, John [John.Schrader@deo.myflorida.com]; Mahon, Jason [Jason.Mahon@eog.myflorida.com]
Subject: RE: Florida Strategic Plan for Broadband
Attachments: June 24 Draft - Florida Broadband Strategic Plan (AK).docx

Great work, truly.

Minor tweaks in the attached, largely focused on a couple things:

1. We keep using the phrase "healthcare" when generally that is misleading, in a couple ways, because it's more about points of access to health care, not creating a healthcare program;
2. I added "housing" in a few places, right after health; and
3. I just made the wording a little more consistent around those moral high grounds.

Both websites look great.

J. Alex Kelly
Deputy Chief of Staff
Executive Office of the Governor
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From: Melnick, Benjamin <Benjamin.Melnick@deo.myflorida.com>
Sent: Saturday, June 25, 2022 5:54 PM
To: Kelly, Alex <Alex.Kelly@eog.myflorida.com>; Christina.Smith <Christina.Smith@LASPBS.STATE.FL.US>; Spencer, Chris <Chris.Spencer@LASPBS.STATE.FL.US>; Pollins, Stu <Stu.Pollins@LASPBS.STATE.FL.US>; Coyle, Frances <Frances.Coyle@LASPBS.STATE.FL.US>; Gunder, Brandi <Brandi.Gunder@LASPBS.STATE.FL.US>; Melnick, Benjamin <Benjamin.Melnick@deo.myflorida.com>; Ivey, Meredith <Meredith.Ivey@deo.myflorida.com>; Katie Smith <Katie.Smith@deo.myflorida.com>; Eagle, Dane <Dane.Eagle@deo.myflorida.com>; katie.crofoot@laspbs.state.fl.us; Schrader, John <John.Schrader@deo.myflorida.com>; Mahon, Jason <Jason.Mahon@eog.myflorida.com>
Subject: Florida Strategic Plan for Broadband

Good afternoon all.

As you're all aware, the Strategic Plan is due to the legislature and the governor on June 30th (this Thursday). There are two attachments to this email: The current draft of the Florida Strategic Plan for Broadband (edited in response to recent feedback from EOG and OPB as well as the meeting) and the second attachment is the email from Alex Kelly with y'all's comments included in the draft for your reference).

The attached current draft of the Florida Strategic Plan for Broadband is a clean version, we've accepted all tracked changes and eliminated all comments and replies for ease of reading. Here is a summary of the changes/updates we've made.

- We've largely overhauled the opening sections in the broad "Overview" part of the document. This overhaul was to compress and consolidate certain pieces, as well as better illustrate the goals of the plan and improve the presentation of the various steps and focal points. This was in response to several of your comments.
- There is a new graphic for "Steps to a Connected Economy." We have several other options but wanted to get more of your feedback, as a summary graphic in the early part of the plan will help ensure future readers are on the same page. We'll create a final graphic once you've had a chance to give us further guidance from this version.
- Several sections had pieces that you identified you felt fit better in other locations. We've maneuvered those around the document, so if you feel some déjà vu, it's because we removed it from another location at your recommendation.
- There are two new strategies based on your feedback. The first, is Strategy 2, which is a partner strategy to former Strategy 14 (now Strategy 15) – your feedback was to make that strategy of more paramount importance and shift the perspective to state. Strategy 14 (now 15) remains in Part B. Local Role in Section I. Availability, but the new Strategy 2 is located in Part A. State Role in Section I. Availability. The second new strategy is Strategy 21 in Section III. Accountability. This Strategy is a drilled-down more specific strategy to measure success and ensure accountability.
- Strategy 10 (now Strategy 11) has been updated with thanks to Katie Crofoot for the improved language.
- In many places you provided comments or requests for clarity or elaboration. We addressed these in a number of ways: through improving the general language of the bullet-point or section itself; by adding a footnote that links to more information or defines particular references; and in some cases simply enumerating examples.
- Generally speaking we made numerous edits, re-writes, and updates to follow the direction of your feedback and we look forward to your review.

We also have the map due to the legislature and Governor on June 30. For the Map requirement: We have one map fed by two mapping initiatives at the moment. We have the [Speed Test Results Map](#). And we have the new multi-layered [Faster Florida Broadband Map](#). Eventually the latter will consume the former as a data layer.

Timeline: Phase I of each map is complete. Phase II will see the Speed Test Results populated into the Faster Florida Broadband Map as an active layer (target timeline for that would be for June 30); Phase III will see ISP data layered into the map along with more geo-political boundary information.

Thank you all very much, please let me know any questions you have.

Benjamin M. Melnick
Deputy Secretary, Community Development

Florida Department of Economic Opportunity
Office: 850-717-8477
www.FloridaJobs.org



Help build the Florida Broadband [Map](#), take the [speed test survey](#) today!

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Florida Department of Economic Opportunity

THE FLORIDA STRATEGIC PLAN FOR BROADBAND

Broadband Internet Infrastructure Strategies
for a Connected Economy to Support Workforce
Development, Education, and Healthcare.



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Overview

Executive Summary:

In its first two years of existence (2020-2022), the Florida Department of Economic Opportunity's (DEO or Department) Office of Broadband began laying the groundwork for broadband Internet expansion in Florida. The first steps in this effort are documented in Appendix E.

The **Florida Broadband Deployment Act of 2021** ("2021 Act"; Ch. 24, 2021 Fla. Laws, codified at §§ 288.9961-288.9963, Fla. Stat.) directed the Office of Broadband to complete the following tasks:

- Develop a map of broadband Internet service availability throughout the state;
- Review and verify public input regarding transmission speeds and availability of broadband Internet services throughout the state;
- Develop, market, and promote broadband Internet services in the state;
- Create a strategic plan to increase the use of broadband Internet services in the state;
- Build and facilitate Local Technology Planning Teams (LTPTs) or partnerships;
- Participate in the Federal Communications Commission (FCC) proceedings that are related to the geographic availability and deployment of broadband Internet in Florida; and
- Establish the Broadband Opportunity Program and rules for the program to award grants to applicants who seek to expand broadband Internet to unserved areas, subject to appropriations (§ 288.9961(4), Fla. Stat.).

The Florida Legislature directed the Florida Department of Economic Opportunity's Office of Broadband to develop a strategic plan to guide the State of Florida in broadband Internet expansion and improvement. Under the leadership of the Governor, the Department has undertaken this task with coordination, input, participation, and support from partners and Floridians across the state. This Strategic Plan lays out the vision of the Office of Broadband, the elements and steps of the strategic plan, the roles for state and local stakeholders, and the strategies to undertake as Florida works toward the expansion of broadband Internet.

Strategic Plan Vision for a Connected Economy: DEO's mission and vision is to assist the Governor in advancing a connected economy in Florida by championing the state's economic development vision and by administering state and federal programs and initiatives, including broadband, to help visitors, citizens, businesses, and communities. DEO's role is to holistically focus on the state's workforce, economy, and community development and this is accomplished through workforce development and funding ready infrastructure, as well as by strengthening the connections and partnerships between workforce investments, economic development, and strong communities.

The vision for this Strategic Plan and the future of the Broadband Program is to provide guidance to state decision makers about investments for the provision of high-speed, reliable broadband Internet service access to all Florida communities in support of telemedicine, education opportunities, workforce development, and community development. DEO's Office of Broadband is and will be actively providing such guidance and working with local and state government agencies, community organizations, and private businesses to increase the availability and effectiveness of broadband Internet throughout the state, specifically in small and rural communities.

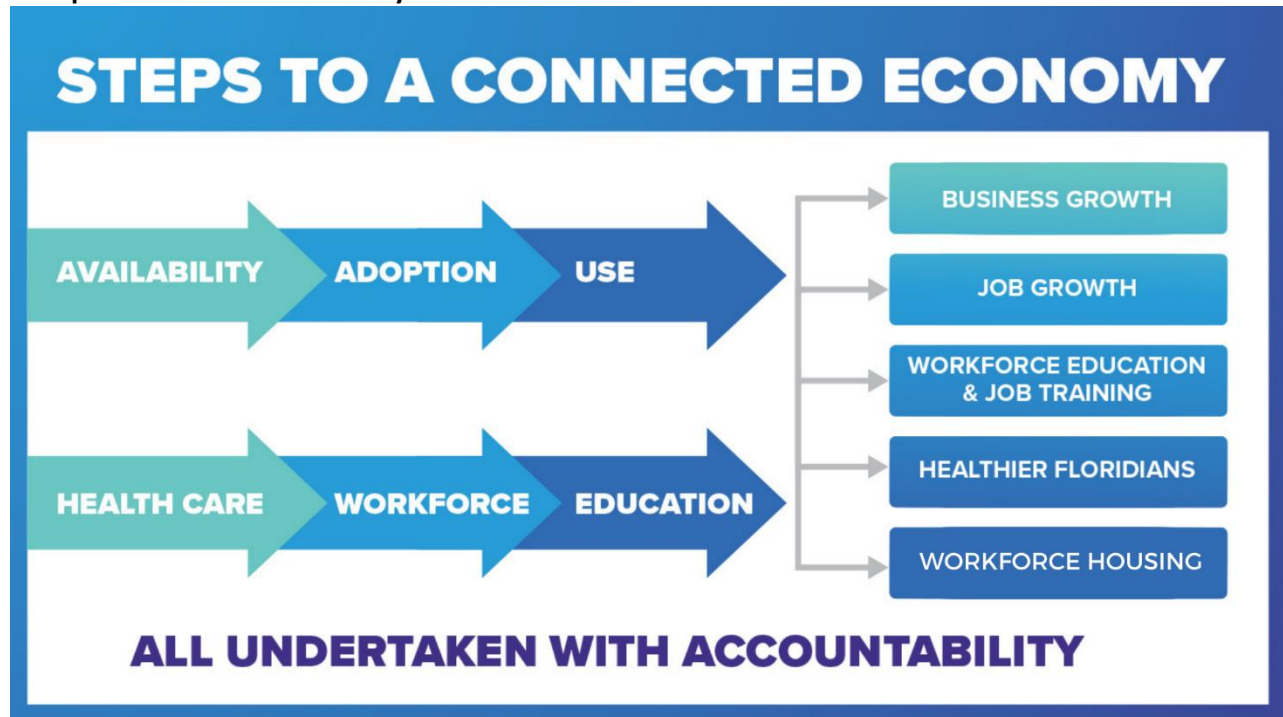
This vision comports with legislative findings in the Florida Broadband Deployment Act of 2021, "that the sustainable adoption of broadband Internet service is critical to the economic and business development of this state and is essential for all residents of this state, libraries, schools, colleges and universities, health care providers, and community organizations" (§ 288.9961(1), Fla. Stat.).

By building these partnerships, Florida will be a national leader in broadband Internet connectivity, infrastructure, and utilization to enhance workforce viability, education opportunities, and telehealth initiatives. To that end, Florida will pursue its goal of expanding the availability, as well as the adoption and use, of broadband Internet to unserved and underserved communities by identifying and leveraging funding opportunities and partnerships.¹

Three Steps to a Connected Economy: This Strategic Plan provides a linear three-step approach to fully realize broadband Internet connectivity enhancing broadband Internet in Florida and reaching the goal of a Connected Economy bolstering the central tenants of supporting a robust workforce, educational opportunities, and health care access: 1) Availability; 2) Adoption, and 3) Use of digital content.

¹ "Unserved" in the 2021 Act means an area of the state where there is no provider of broadband Internet service having speeds over 25/3 Mbps. "Underserved" in the 2021 Act means an area of the state where there is no provider of broadband Internet service at speeds over 100/10 Mbps.

3 Steps to a Connected Economy



The three steps of Availability, Adoption, and Use, lead to a Connected Economy supporting development of Workforce, Education, and Health Care, and each step must be undertaken with a high level of Accountability to ensure positive impacts in Business Growth, Job Growth, development of Workforce Education and Job Training opportunities, Healthier Floridians, and connected Workforce Housing.

Outcomes for a Connected Economy and Accountability:

Of course, these three steps are meaningless without an intentional focus on outcomes for a connected economy:

Workforce Development: A connected economy is realized when robust workforce development initiatives result in the creation and sustainability of high-quality, high-paying jobs and career paths for residents, particularly in communities that are rural and/or underserved. For example, enhanced broadband connectivity in a community could help recruit manufacturing businesses to set up a headquarters or plant in that area, creating a need to hire locally. If the business entities in the area team up with local education institutions and create a program allowing students to enroll and obtain credentials necessary to apply for a position, this can create a pool of talent and job opportunities that would have not otherwise come to fruition.

Education: Greater access to educational opportunities and educational choice to students and families, while also promoting enhanced collaboration between education institutions and private-

sector businesses to create successful career pathways for individuals. Beyond the workforce component, enhanced connectivity and access produces great choice for existing residents and prospective residents, helping rural and underserved communities grow and thrive.

Health Care: Availability of telehealth and public health services in typically undeserved communities to produce healthier Floridians and support their ability to be successful in all other facets of their lives. Much like education, connectivity resulting in health care access also helps in terms of recruiting talents for businesses, ensuring that residents, employers, and employees are able to thrive in their community.

Accountability is the foundation for success of the three steps: availability, adoption, and use of digital content, and expected outcomes for workforce development, educational access and choice, and healthier Floridians. An initiative without accountability, however well-intentioned it is, lacks longevity and the ability to meaningfully impact the lives of the Floridians who need it most. While each step must be undertaken with accountability, measuring the positive impacts on Floridians throughout the process and as a result of each grant award is paramount. Ensuring the connected economy outcomes of Business Growth, Job Growth, Workforce Education and Job Training, Healthier Floridians, and Workforce Housing requires accountability in measuring the results of each component. As such, all three steps build linearly to ensure a connected economy is supported by, and stands firmly upon, accountability, which is specifically addressed in Strategies 21 through 25.

Implementing Availability, Adoption, and to Reduce the Digital Divide and Foster a Connected Economy

This Strategic Plan will help Florida reduce the digital divide² that exists between areas that are fully equipped to realize the benefits of broadband Internet service and those that are not. Florida's diversity dictates the use of various methods, technologies, and configurations to ensure connectivity in a manner best suited to resident needs. Implementing the three steps of availability, adoption, and use will help ensure the workforce, education, health and housing sectors, as a whole, are strengthened.

Each of the three steps to creating a connected economy builds from the previous. There won't be broadband internet *use* without adoption of broadband internet service, and it cannot be *adopted* if it is not *available*. Availability, adoption, and the use of broadband Internet services throughout Florida will allow the state's residents to reap benefits from a connected economy that fuels advancements and allows more Floridians to fully partake in available workforce, education, health and housing opportunities.

² The gap between people who have access to broadband Internet services, have adopted it, and know how to use digital content (digital literacy), and those who do not.

The Role of Florida's Communities

At its heart, this Strategic Plan is a community-based approach to ensure service needs are identified and met in unserved and underserved areas. The three steps to building a connected economy — availability, adoption, and use — support Florida's resiliency only if Florida's communities assume primary responsibility for contributing to this effort. In this way, Florida communities share the underlying theme of accountability with the Office of Broadband.

What are the communities' roles, and what must they decide?

PARTNER WITH STAKEHOLDERS: *Who will their partners be?*

PLAN FOR BROADBAND INTERNET DEPLOYMENT: *What information and other data will partners need?*

PAY FOR BROADBAND INTERNET DEPLOYMENT: *What funds will be used?*

PROVIDE FOR BROADBAND INTERNET DEPLOYMENT: *Who will build and provide these services?*

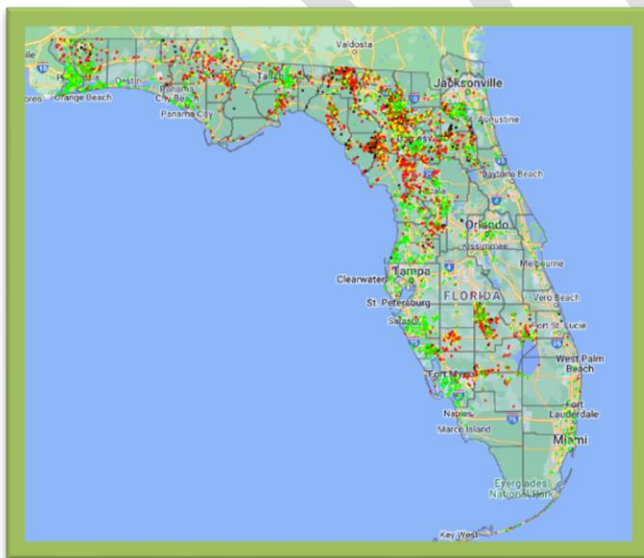
PPROMOTE ADOPTION AND USE: *How will this be done?*

The 2021 Act emphasizes the involvement of local and regional entities in planning for broadband Internet expansion in unserved and underserved areas of the state. The 2021 Act underscores the concept that local and regional entities are well-positioned to identify and respond to the broadband Internet needs of their residents. This approach is supported by charges to the LTPTs to “help the communities understand their current broadband availability, locate unserved and underserved businesses and residents, identify assets relevant to broadband deployment, build partnerships with broadband service providers, and identify... assets and reduce barriers to the deployment of broadband Internet services.” (§ 288.9961(4)(b), Fla. Stat.).

“The most critical aspect of this comprehensive effort is a coordinated planning effort between Local Technology Planning Teams (LTPTs) and the Florida Office of Broadband” (Florida Office of Broadband, 2022a).

Stakeholders from various industries are involved in LTPTs. Some communities focus on the involvement of a core group of large broadband Internet service users, while other communities involve all stakeholders, regardless of the scope of their needs. The rationale for the former is that a network is being developed to support all applications and broadband Internet users; therefore, it is not necessary to have every stakeholder at the table. The other perspective is that there is little downside to involving a wide range of stakeholders to ensure that all needs are considered.

The Role of the State



The state has a leadership role in accountably ensuring that broadband Internet availability, adoption, and use are sustainable in every community and rural area for a resilient Florida future. Therefore, the state will support and facilitate the actions of communities to achieve these goals. This Strategic Plan identifies how the state will support and facilitate the work communities have before them in identifying and planning how to meet their broadband Internet needs. Some of this work began before the development of this Strategic Plan, as evidenced by the creation of the office in 2020 and the further groundwork completed by the Legislature and DEO in 2021 and early 2022.

As broadband Internet is critical for many facets of economic development and an integral part of infrastructure, DEO is statutorily charged with overseeing broadband Internet expansion initiatives (§ 288.9961(3), Fla. Stat.). This charge fits within DEO’s mission to assist the Governor in advancing

Florida's economy by championing the state's economic development vision and by administering state and federal programs and initiatives to help visitors, citizens, businesses, and communities. DEO's role is to holistically focus on the state's workforce, economic, and community development initiatives by strengthening the connections between workforce investments, economic development, and communities.

DEO's Office of Broadband was established in July 2020 to work with local and state government agencies, community organizations, and private businesses to increase the availability and effectiveness (adoption and use) of broadband Internet throughout the state, specifically in small and rural communities. Through these partnerships, Florida aspires to be a national leader in broadband Internet connectivity, infrastructure, and utilization to enhance workforce viability, education opportunities, and telehealth initiatives.

The 2021 Act outlines the state's lead role supporting broadband Internet expansion to all individuals and organizations:

The Legislature finds that the sustainable adoption of broadband Internet service is critical to the economic and business development of this state and is essential for all residents of this state, libraries, schools, colleges and universities, health care providers, and community organizations. (§ 288.9961(1), Fla. Stat.).

Use of the defined term "sustainable adoption" in the findings implies that while public support may be important in the short term, the ultimate goal is for providers to be able to encourage "adoption and use levels" that allow the services to be offered without government subsidies. (§ 288.9961(2)(e), Fla. Stat.).

Two impediments to deploying broadband Internet expansion should be noted. The state's actions alone cannot eliminate the following impediments:

1. Unserved and underserved areas are currently difficult to identify due to a lack of detailed data. To complicate matters, providers are continually scheduling, deploying, or modifying broadband Internet infrastructure projects so that no dataset will capture the status of a network perfectly. The complexities of provider deployment, lack of demand, and cost of deployment over time makes the designation of unserved and underserved areas moving targets. Furthermore, the crucial identification of unserved and underserved areas, based on federal definitions, which may be supported through the use of federal funds available when this Strategic Plan is developed, will be determined by the FCC. The FCC is expected to release its data and broadband Internet access maps in late 2022.³

³ The FCC is in the process of updating its current broadband Internet maps with more detailed information on the availability of fixed and mobile broadband Internet services. The Broadband Data Collection program will give the FCC, industry, state, local and Tribal government entities, and consumers the tools to improve the accuracy of existing maps. See Broadband Deployment Accuracy and Technological Availability Act (P.L. No. 116-130).

This FCC map may not be the final guidance on area eligibility as the federal government is supposed to establish a process by which individual states can challenge the FCC's data.

2. Federal statutory restrictions, in some instances, prevent use of funds from more than one federally funded, broadband Internet-related program in the same area. In addition to federal restrictions, Florida law prohibits the use of funding from the state's Broadband Opportunity Program in areas where federal funds have been awarded. (§ 288.9962(8)(a), Fla. Stat.). The interaction of federal and state laws may limit how funds can be used for infrastructure deployment.

Funding⁴

While maintainable, reliable adoption of broadband Internet service is the long-term goal, in some areas of the state, the cost of providing service is too high to be completely covered by customer charges—at least in the short term. The state has developed funding mechanisms and a plan to consider various federal funding streams with the goal of ensuring that broadband Internet services can be deployed in Florida communities. The state will consider other federal funds to support adoption and usage efforts and programs.

Each potential source of funding brings a set of guidelines that the Office of Broadband can utilize to create a robust program that interconnects separate funding sources to maximize the effectiveness of the whole. This should be done by leveraging each funding source into a primary focus and supporting activities. For example, the Capital Projects Fund may be best suited for projects directly strengthening the workforce by improving job training, community connectivity, and health and human services, while the Broadband Opportunity Program may be best suited to assist homeowners in last mile connectivity.

The Florida Legislature appropriated \$400 million from the General Revenue Fund for the Broadband Opportunity Program in Fiscal Year (FY) 2022-2023.

Funding in the amount of \$366 million is available to Florida through the U.S. Treasury's Capital Projects Fund. The Executive Office of the Governor, in coordination with the Florida Legislature, has discretion as to how this funding will be used. Some funding may be used for broadband Internet: "A key priority of this program is to make funding available for reliable, affordable broadband infrastructure and other digital connectivity technology projects." (United States Department of the Treasury, 2022, para. 3).

In addition to the above funding opportunities the United States Department of the Treasury (U.S. Treasury) and the National Telecommunications and Information Administration (NTIA) in the U.S.

⁴ Compiled at the time of drafting this Strategic Plan; information as of June 30, 2022.

Department of Commerce are two potential sources of funding via federal grants to the state. Several programs authorized by the 2021 Infrastructure Investment and Jobs Act (IIJA) are to be administered by NTIA. Other programs funded through IIJA appropriations and administered by other federal agencies include: the Affordable Connectivity Program by the FCC, the Broadband Loan Program, and the Reconnect Program by the U.S. Department of Agriculture.

Through the IIJA and NTIA, each applicable state will receive an initial \$100 million for the Broadband Equity, Access, and Deployment (BEAD) program, including \$5 million to support broadband Internet planning, building capacity in state broadband Internet offices, and outreach and coordination with local communities. The BEAD program will be the largest of the broadband Internet programs administered by NTIA. Priority for use of the funds is as follows:

1. Broadband Internet deployment in unserved locations (those below 25/3 Megabits per second or Mbps);⁵
2. Underserved locations (those below 100/20 Mbps); and
3. Community anchor institutions (school, library, health clinic, health center, hospital or other medical provider, public safety entity, institute of higher education, public housing organization, community support organization).

Each applicable state is required to submit a five-year action plan for the BEAD Program to the NTIA, which must be informed through a collaboration with local and regional entities. Funding to implement the action plan will be distributed based on a formula that considers the number of unserved and high-cost locations in the state, based on data displayed on maps to be published by the FCC in 2022.

These new federal programs add to long-standing broadband Internet funding programs developed and implemented by the FCC, such as the Connect America Fund (CAF) Phase II and Rural Digital Opportunity Fund (RDOF). These programs provide price discounts for low-income households, as well as funding for schools and libraries, to obtain broadband Internet and other advanced communications services; rural healthcare facilities to make broadband Internet more affordable; and primarily small broadband Internet providers in rural and high-cost areas.

⁵ Broadband speeds: Speeds are expressed with two numbers, separated by a diagonal line “/”, and a designation of the amount of data, such as “100/20 Mbps.” The first number represents the amount of data users receive. The second number represents the amount of data users can send. Mbps: Megabits per second refers to millions of bits of binary information—zeros and ones—that are passed in a second. Gbps: Gigabits per second refers to the number of bits in billions.

Broadband Internet Strategies for a Connected Economy

Introduction

Reliable broadband Internet access is necessary for economic development in a modern economy, and it is increasingly becoming as critical to basic infrastructure needs as roads, water and wastewater services, and energy. Broadband Internet plays a central role in business development, jobs, education, health, housing and other publicly-desired services, as it is the communities' connection to future economic growth. Current lack of broadband Internet contributes to the digital divide for entire communities, and the expansion of broadband represents a tremendous opportunity particularly for rural and underserved communities across the sunshine state, including the ability to grow and recruit businesses and generate high-quality and sustainable jobs. The 2021 Act addresses the need for broadband expansion to enable availability and increased useful adoption. There are some areas of the state where Internet Service Providers (ISPs) may be unable to provide service at this time because the revenue streams from consumers are insufficient to cover the costs of traditional infrastructure deployment, ongoing operations, and maintenance to ensure reliable connectivity. In other areas of the state, broadband may be available, but customer demand may be insufficient for providers to justify upgrading the infrastructure to higher speeds.

Likewise, there are areas of the state where broadband Internet services are available, but the public does not purchase them. The 2021 Act makes it clear that public subsidies are a temporary mechanism. The desired result of the state's public policy regarding broadband is "sustainable adoption" of broadband services by all Floridians. The 2021 Act defines "sustainable adoption" in a way that acknowledges the objective of providing broadband service without a subsidy.⁶ The need is to create resilient Florida communities free to thrive in a strong connected economy.

The 2021 Act created responsibilities at both the state and local levels to facilitate the expansion of broadband Internet service and help providers make the return on investment for sustainable adoption. At the state level, DEO is accountable as the lead agency to facilitate the expansion of broadband. (§ 288.9961(3), Fla. Stat.). The 2021 Act created a collaborative process between state and local communities. Through this initiative, the relationship between the state and local communities will vary depending on the goals, capabilities, and resources of each community. In some instances, local communities will take the initiative to identify unserved areas and take steps to expand broadband Internet infrastructure and service to those areas. In other instances, local communities may be less proactive, especially in fiscally constrained communities, and the state may have a more direct role in expansion initiatives. Thus, this Strategic Plan is based upon state and local entities' collaborative and complementary efforts.

⁶ Sustainable adoption: The ability for communications service providers to offer broadband Internet services in all areas of this state by encouraging adoption and use levels that allow for these services to be offered in the free market absent the need for governmental subsidy. (§ 288.9961(2)(e), Fla. Stat.).

The complementary but distinct roles of state and local entities described in the 2021 Act raise two fundamental questions: 1) What is the state’s role in providing broadband Internet service to the public?; and 2) What are the roles of local communities in providing broadband Internet service to the public? As you will see below, these are strategized in separate parts in Section I: Availability.

Organization Of The Strategies For Implementing This Strategic Plan

This strategic plan is presented in three sections that follow:

- I. Availability**
 - A. State Role in Availability**
 - B. Local Role in Availability**
- II. Adoption and Use**
- III. Accountability**

The state of Florida prioritizes the long-term resiliency and growth of each community and Florida as a whole; therefore, adoption without use will not meet the vision or intent of this Strategic Plan. It follows that steps two (adoption) and three (use) for creating a connected economy have been combined in Section II: Adoption and Use. It is vital for the state to create an accountable program to provide Floridians with opportunities to access education, telehealth, and workforce training and engagement through broadband Internet expansion. As such, accountability encompasses the third section of the strategies for implementing this plan, discussed in Section III: Accountability.

There are strategies and action steps suggested in each Section which, when considered together, will assist the state with accomplishing its goals of increasing the availability, adoption, and use of broadband Internet throughout the state.

- I. Availability**
 - A. State Role in Availability**

I.1. Develop local and regional partnerships to meet broadband Internet goals and coordinate with those partners to effectively use federal broadband Internet expansion funds in unserved and underserved areas

Strategy 1: Continue to build and engage Local Technology Planning Teams (LTPT) where possible. In areas where previously organized entities may be able to act as LTPTs, designate them as such if they are willing to take on the LTPT role.

Explanation: LTPTs were authorized by the 2021 Act to identify “current broadband availability, locate unserved and underserved [areas], identify assets relevant to broadband deployment, build partnerships with broadband service providers and identify opportunities to leverage assets and reduce barriers to the deployment of broadband Internet Services in the community.” (§ 288.9961(4)(b), Fla. Stat.). Specifically, this work is to be conducted with rural communities. The statutes’ focus on both the rural areas and the LTPTs’ work in “fiscally constrained” counties suggests that partnerships will help provide the capacity necessary to ensure successful broadband Internet projects.

Action Steps:

- a. Identify areas where LTPTs have not been formed and develop alternative means (such as surveys, direct outreach, or inclusion in a regional planning team) of engaging communities in the broadband Internet planning process.
- b. Through outreach, toolkit materials, and guidance, encourage the development of regional LTPTs, especially where neighboring counties have similar broadband Internet needs.
- c. Design and conduct workshops to train LTPTs to perform the necessary needs assessments, collect data, and plan for broadband Internet expansion in their communities.
- d. Publish and/or make available information about the development, progress, and best practices employed by LTPTs and other local entities to identify and create plans for addressing the broadband Internet needs of their respective communities.
- e. Encourage LTPTs and communities to engage in broadband internet service planning and document that engagement.

Strategy 2: Guide, encourage, and where necessary direct, local communities to coordinate infrastructure projects, such as roads and broadband Internet, to reduce overall costs.

Explanation: Ready infrastructure is the gateway to business growth and job creation. Maximizing the efficiency of the infrastructure preparation to increase the effectiveness of the infrastructure improvement, will lead to better opportunities to attract new businesses, enhance existing businesses, provide training to potential workforce, and deliver more methods for critical interconnectivity such as telemedicine.

Failure to coordinate planning for infrastructure projects could result in land or rights-of-way being dug up more than once when broadband Internet providers install fiber after lines and conduits have been installed as part of roadway construction projects. Such duplication of effort can be costly to the community in terms of traffic disruptions and reduced road life (Wilde et al., 2002).

Dig Once, involving coordination, has been identified by the U. S. Government Accountability Office as a means of reducing the overall cost of infrastructure installation with opportunities for joint trenching and sharing of overhead such as maintenance of traffic, staging construction activity, and restoration expenses (Fleming, 2012).

Action Step: From a state level of best practices and methods, ensure infrastructure construction and improvement activities are coordinated and reported to the Department. Guide, encourage, and if necessary, direct, local communities to coordinate infrastructure projects in overlapping physical areas regardless of municipal boundaries.

I.2. Collect, maintain, and analyze up-to-date, reliable, detailed data with which to identify unserved and underserved areas of the state

Strategy 3: Develop an ongoing program to enhance the state broadband Internet dataset. Leverage other broadband Internet data resources, including data collected by LTPTs and local and regional organizations. Ensure the Office of Broadband collects and maintains data through its grant activity.

Explanation: Continued coordination of LTPTs, as well as local and statewide workshops, will raise awareness of the importance of local involvement in the information-gathering process and of broadband Internet expansion constraints imposed by state and federal law. Obtaining the necessary data with which to identify unserved and underserved areas is key to meeting reliable and sustainable broadband Internet service needs of those areas. Local entities developing broadband Internet plans will be most effective in gathering necessary broadband Internet availability and use information from residents and businesses. Such information may be derived from surveys or other methods that will identify broadband Internet service gaps.

Data collected by LTPTs and other grant applicants can be provided to the Office of Broadband in local plans or grant applications for the Office of Broadband's use to support the allocation of federal and state funds to expand broadband Internet infrastructure and service.

The 2021 Act states that "the [strategic] plan must include a process to review and verify public input regarding transmission speeds and availability of broadband Internet service throughout this state." (§ 288.9961(4)(a), Fla. Stat.). Among the types of public input that might be relevant are crowdsourced data, commonly collected via online speed tests, such as the one on the Office of Broadband's website. The need for verification of crowdsourced data is supported by analyses that have shown online speed test results to understate availability and perhaps speeds (PURC, 2022). DEO's Office of Broadband should consider actively maintaining the publicly accessible speed test and map to capture real-time data

and display real-time improvement results, but utilize multiple data sources to verify reported speed test results and calibrate the data as necessary.

Action Steps:

- a. Conduct workshops for LTPTs and other regional groups to share best practices related to data collection and management.
- b. Provide technical assistance, guidance materials, toolkits, and coordination among LTPTs to facilitate sharing best practices to help LTPTs identify local broadband Internet service needs.
- c. Encourage LTPTs and regional organizations to conduct surveys and use survey responses to identify unserved and underserved areas.
- d. Assemble locally collected data submitted in local broadband Internet plans and grant applications.
- e. Review and verify the Florida crowdsourced⁷ and other publicly obtained data regarding broadband Internet availability in Florida to determine its validity and predictive power. Analyze such data in conjunction with data obtained from other public sources, including the FCC, the U.S. Census Bureau, Ookla, Microsoft, and the Technology Policy Institute.

I.3. Identify areas of data and methods by which data is used to facilitate and document service expansion plans

Strategy 4: Use data to identify areas at a more granular level where federal broadband Internet expansion funds have been used or will be used to ensure compliance with state and federal law and to identify unserved and underserved areas.

Explanation: Detailed data are needed to pinpoint the locations of unserved and underserved areas. Florida historically relied on FCC maps developed several years ago and annually updated. These maps tend to overstate broadband Internet connectivity because if one household has connectivity in a census block, the entire block is counted as having connectivity. In rural areas, a single census block could constitute many square miles (PURC, 2022).

The FCC is updating and expanding its mapping efforts, and information from the updated map will be used by the federal government to determine unserved and underserved areas for the purposes of some federal programs. However, states will be allowed to challenge the FCC's updated maps. To do so, Florida will need to gather and analyze accurate data

⁷ Crowdsourcing, in this context, is online collection of Internet speed data from Floridians who voluntarily take part in speed tests with their own Internet-accessible devices, such as personal computers, tablets, or smartphones.

and identify instances where the FCC's map appears to be flawed. Moreover, challenging FCC data may be necessary to maximize federal funds flowing to the state.

The same data required for the release of federal funds for broadband Internet expansion may be necessary to ensure compliance with state law and implement the Broadband Opportunity Program. The challenge process in state law, as well as the state's responsibility for appropriate use of federal and state funds for broadband Internet projects, will necessitate the collection of data going forward (§ 288.9962 (6)(c) (1-3), Fla. Stat.).

As noted previously, some unserved and underserved areas may not benefit from federal funding from the federal IJA (P.L. 117-58) for broadband Internet expansion and connectivity due to restrictions in DEO's Broadband Opportunity Program and possibly federal programs such as the FCC's Rural Digital Opportunity Fund (RDOF) and Connect America Fund II (CAF II) and the U.S. Department of Agriculture's ReConnect Loan and Grant Program.

Action Steps:

- a. Compile available information about areas that have broadband Internet service and areas that providers have committed to serve using federal broadband Internet expansion funds. In addition, collect the anticipated duration of any expansion commitments to the extent known.
- b. Develop a process to collect and monitor any such data at least annually.

Strategy 5: Develop and implement a method by which to acquire information about Internet service providers' broadband Internet expansion plans to understand where, how, and when various Internet service providers will initiate or improve service in unserved or underserved areas.

Explanation: An aspect of data gathering and management relates to information about where, how, and when various Internet service providers will initiate or improve service in unserved or underserved areas. However, providers may be reluctant to share information they consider to be competitively sensitive. Therefore, there will be an asymmetry of information between the Internet service providers and the state regarding the providers' commitment to service in specific areas. Efforts to obtain that information from providers could be a challenge.

Regular meetings between DEO's Office of Broadband and Internet service providers may facilitate information-sharing regarding expansion plans; however, the Office of Broadband, and providers that are direct grantees of the state, will need to exercise caution in participating in any such meetings to avoid a conflict of interest.

Action Steps:

- a. Have the Office of Broadband meet regularly with Internet service providers to learn about their observations regarding the viability of conducting business in unserved areas and upgrading service in underserved areas.
- b. Create legal pathways for sharing sensitive or confidential business information such as entering into data share agreements with providers, as necessary, to obtain more information about their not-yet-disclosed-commitments for expanding broadband Internet services.

I.4. The overarching economic challenge for making broadband Internet available

Strategy 6: Develop an approach to identify locations where sustainable broadband Internet expansion or improvement will not be economically feasible for providers in the foreseeable future due to low adoption levels or geographic barriers.

Explanation: Sustainable broadband Internet adoption is not currently feasible in some areas of the state because the costs of providing services in those areas exceed customers' willingness or ability to pay for the services. In these areas, there may be greater opportunities for alternative solutions⁸ to play a larger role in providing broadband Internet services.

Action Steps:

- a. Establish methods for leveraging state and local resources, including the map(s) on the Florida Office of Broadband website, to identify unserved and underserved areas in the state.
- b. Continue to collect and maintain information about unserved and underserved areas in the state's broadband Internet datasets.⁹
- c. Continue to engage with technology and equipment companies to understand the methods by which broadband Internet service may be provided to an area.
- d. Through the LTPT initiative, grant application process, and rulemaking, encourage planning efforts to maintain updated estimates on both the potential costs to provide service as well as the potentially available technologies to provide that service and what speeds this would bring to the areas.

⁸ See Appendix F, section VI, "Programs to Increase Broadband Access" for further information.

⁹ Discussion of datasets is included in the "Managing Data" section below.

I.5. Positioning to undertake statewide broadband improvement

Strategy 7: Evaluate all aspects of state and federal funding program requirements and determine the need for and best use of consultants to implement a grant-making process.

Explanation: DEO administers various grant programs, such as the Small Cities Community Development Block Grant and nearly \$2.5 billion through the Community Development Block Grant - Disaster Recovery and Community Development Block Grant - Mitigation programs through its Office of Long-Term Resiliency to facilitate recovery efforts in response to Hurricane Hermine and Matthew (2016), Hurricane Irma (2017), Hurricane Michael (2018), and Hurricane Sally (2020), as well as mitigation and resiliency efforts. DEO's experience with the administration of these programs will inform the development of broadband Internet expansion grant administration.

Additional specialized expertise may be required to implement a suitable grant administration process. Supplementing the state-level capacity with contracted services can help accomplish the tasks associated with this large funding project without making long-term staffing commitments, which may not be necessary.

Action Steps:

- a. Leverage capacity within DEO to design and manage grant processes that will meet the scope and requirements of the state and federal programs that fund the state's broadband Internet expansion.
- b. If third parties are needed, develop criteria for consultant selection and coordinate input into the process of selecting third parties to complete selection as quickly as possible. Depending on the projects for which third parties are needed, they will need to have the following requirements:
 1. Analytic skills such as mapping and data analysis (including take rates, affordability, etc.) necessary to identify where services are needed and how much it will cost to serve these areas;
 2. An understanding of cost analysis based on geographic and technology differences across the state and an understanding of the revenue needs of providers to derive estimates of funding necessary to ensure broadband Internet deployment in unserved and underserved areas;
 3. Knowledge of grant administration processes and management;
 4. Experience working in a number of states;
 5. Detailed knowledge of relevant federal funding programs and their requirements; and,
 6. Demonstrated ability to adhere to a complex timeline.

I.6. Implement grant development administration processes for providers

Strategy 8: Implement the most effective and efficient means of using broadband Internet grant funds to reach unserved and underserved areas and incorporate that approach into the grant processes for providers.¹⁰

Explanation: Grant qualification, evaluation, and application processes can present obstacles to providers and serve as a barrier to broadband Internet expansion. To attract the largest number of applications for broadband Internet grants, and therefore increase the possibility that unserved and underserved communities will be reached, the entry hurdles need to be streamlined without sacrificing robustness. That is, every step in the process must be designed to ensure that the most qualified applicants have the possibility of receiving project funding to provide broadband Internet service¹¹ to those communities in Florida which are the most needy. In terms of sequencing the use of grant programs, an option might be to award competitive grants for most of the state and establish a grant specifically for unserved areas within the state that have not yet received funding or any response to earlier competitive grant opportunities.

DEO's Office of Broadband should ensure the projects' grant applications are the best fit under the separate potential sources of funding to minimize challenges or hurdles posed with each project, as some funding opportunities will contain different constraints that may or may not readily fit within the existing project plan.

Action Steps:

- a. Develop an approach to attract multiple broadband Internet service providers as competitors for financial assistance to be used in unserved and underserved areas under state or local assistance programs.
- b. Analyze each state and federal funding stream to determine priorities for projects, restrictions on the use of funds, time limitations on the use of funds, and match requirements, along with any other stipulations.
- c. Create a plan for sequencing the use of state and federal funds that maximizes the amount of funding available to support broadband Internet projects in the least served areas of the state.
- d. Determine which of the various available competitive grant processes should be used for the purposes for which grants may be made under the state and federal program requirements.

¹⁰ Grant in this context, means the funding provided by the federal, state, or local government. Grant agreements take different forms including partial project funding (i.e., requiring a match) and are contracts between the granting entity and the grantee.

¹¹ Section 288.9961(2)(a), Florida Statutes. "Broadband Internet service" means a service that offers a connection to the Internet with a capacity for transmission at a consistent speed of at least 25 megabits per second downstream and 3 megabits per second upstream.

- e. Implement specific rounds of grant cycles targeted to meet identified community needs.

Strategy 9: In order to avoid situations where the lowest-bid proposal wins award without regard to likelihood of completion of project, long-term viability of service, or scalability of service for future proofing, design a competitive selection process in compliance with state and federal requirements that will enable DEO to identify the most suitable Internet service provider or providers to meet the broadband Internet needs of the unserved and underserved areas of the state.

Explanation:

An approach for selecting grantees could include:

- Developing rigorous standards for business experience, financial health, and technical expertise for entities seeking funding;
- Holding competitions for funding for multiple areas and, at the same time, allowing entities seeking funding to choose which areas they would seek to serve;
- Developing well-defined obligations for funding recipients and a uniform, objective scoring method for comparing offers;
- Holding multiple rounds of offers in which competitors seek to beat the offers of others; and
- Conditioning the release of funds on the successful completion and deployment of the required broadband services.

In addition to this process, there are other competitive funding mechanisms that may be used such as a Notice of Funding Availability, Funding Opportunity Announcement, or similar instrument. Other competitive grant award processes include those based on the merit of the proposal or application, for example – an assessment of the applicant’s ability to complete specified tasks within budget and time constraints.

Some competitive processes are better than others to identify the most effective bidder for a well-known project. Other processes may be better when the area’s needs cannot be articulated. The Office of Broadband should work with LTPTs to identify which processes are best suited for individual situations.

Action Steps:

- a. Develop and implement competitive processes to identify the recipient of financial support that is best able to meet the needs of unserved and underserved areas.
- b. Ensure that the competitive grant process accommodates proposals from providers to expand broadband Internet service in multiple unserved and underserved areas, where applicable.

- c. Establish grant eligibility and scoring criteria that incorporate an assessment of whether Floridians can access networks that are comparable on such dimensions as speed, latency, reliability, and functionality.
- d. Design and use application qualification criteria to ensure that grantees can and will complete the scope of work required.

Strategy 10: In the instance where an area failed to receive competitive bids and the state considers a process to target those unrepresented areas for award, design a negotiated provider-selection process in compliance with state and federal requirements for aspects of the broadband Internet expansion effort. Through this process the state may be able to ensure a particular area or type of area receives consideration for award. This process may be utilized in situations for which there was only a single bidder offering to deploy broadband Internet in an unserved and underserved area or for which there was no bidder.

Explanation: After funds have been allocated through the competitive grant process, there may be unserved and underserved areas for which no provider was identified. An alternative provider selection process may be required to ensure those areas are served under a broadband Internet expansion program.¹²

Action Steps:

- a. After competitive selection processes are completed, inventory those unserved areas where there was no acceptable competitive bid and that were not included in the service area of any grantee.
- b. Develop specifications for grantees to serve those areas in compliance with state and federal funding requirements.
- c. Negotiate with qualified applicants to provide services to the unserved areas.

I.7. Need for skilled and specialized workers a critical component of deployment of broadband Internet infrastructure projects

Strategy 11: Prepare the workforce for the jobs that will emerge from the national deployment of federal and state infrastructure projects to ensure continuity of operations.

Explanation: In addition to the need for construction and installation expertise for broadband Internet infrastructure projects all over the country, there will be an ongoing need for broadband Internet infrastructure maintenance after the grant funding ends. Florida is preparing, and must continue to prepare the Florida workforce to not only meet

¹² An example is North Carolina's Broadband Stop Gap Solutions Program, which is to be launched in late fall 2022, following awards from two other competitive grant programs. See The Broadband Stop Gap Solutions Program at NCDIT "Stop-Gap Grant."

the immediate construction needs but also undertake the long-term maintenance for continued reliability and growth. Workforce development planning and initiatives, which is a statewide function, will continue to be necessary to meet those needs.

In 2021, the Reimagining Education and Career Help (REACH) Act was unanimously passed by the Florida Legislature and signed into law by Governor DeSantis. The REACH Act provides a blueprint for bringing together the various workforce development partners into a coherent system that better serves job seekers and businesses and is accountable to the citizens of Florida. REACH partners include agencies and organizations that provide education and training, placement services and public assistance. (Executive Office of the Governor, Department of Economic Opportunity, Department of Education, Department of Children and Families, CareerSource Florida, and Enterprise Florida) The structure developed within the REACH Act will facilitate solutions to any skilled worker shortages and place Florida at a competitive edge against the emerging need for these skilled workers nationwide.

Action Steps:

- a. DEO will work with the REACH partners on an inventory of workforce development programs that prepare the state's workforce for jobs in broadband Internet-related infrastructure construction, telecommunications technology, and consumer technology industries.
- b. REACH partners will ensure that their work is aligned with Florida's Strategic Plan for Broadband and encourage workforce development agencies and educational institutions to train more students in technology-related fields and address the need for alternative and related skills to enable infrastructure installation and construction workers to transition to more stable positions.
- c. Maintain awareness and research of Florida's competitive edge as compared to other states and their progress in these programs. Look for best practices wherever available and engage with private industry whenever necessary to determine ways Florida can continue to meet this growing need.

“Unlike industries with infrastructure mostly built out, the Broadband Industry faces unique challenges due to the volume of new and upgraded infrastructure to be deployed. In many cases, Broadband Industry workers must be on-call, on the road, and face unpredictable (uneven) demand for their skills. In addition, where climate and weather limit deployment in certain seasons, affected Broadband Industry positions may have a stigma that they provide a lower level of ‘job security’ for some. Many Broadband Industry workers or potential workers might view the job security issue differently if alternative Industry career options, and upskilling and other training programs, were available during the periods when the peak demand is over.

Furthermore, many Industry positions, such as tower climbers, require working at heights. Many workers are not interested in the risk such jobs entail” (Broadband Infrastructure Deployment Job Skills and Training Opportunities Working Group, 2020, p. 10).

B. Local Role in Availability

I.8. Capacity for communities to effectively pursue federal and state funding opportunities to support broadband Internet expansion

Strategy 12: Continue to provide technical assistance based on community requests to assist with organizing LTPTs.

Explanation: Local entities often face challenges in assessing their broadband Internet availability, identifying unserved and underserved residents and businesses, identifying assets available to leverage federal funding, and filling out applications for federal broadband Internet funding. In addition, communities in Florida have little experience convening to pursue objectives for broadband Internet expansion. These objectives may include those community members who comprise LTPT membership: “libraries, K-12 education, colleges and universities, local health care providers, private businesses, community organizations, economic development organizations, local governments, tourism, parks and recreation, and agriculture.” (§ 288.9961(4)(b), Fla. Stat.).

Additionally, there are several programs under which broadband Internet expansion has been an allowable use and continues to be encouraged by the Department. Including the Rural Infrastructure Fund (RIF), the Community Development Block Grant (CDBG) and the Florida Job Growth Grant Fund. Other programs may have a broadband Internet component within an application. The RIF program currently allows for and encourages planning and technical assistance grants, the CDBG Small Cities grant will be undergoing rulemaking in first quarter of state fiscal year 2022-2023 to better align the scoring matrix to encourage planning and technical assistance grants.

The Broadband Planning Toolkit (Toolkit) provides fundamental resources and guidance using a nine-step planning process to help each LTPT identify the availability of broadband Internet services in its county or region. The Toolkit also provides a template for a community and business survey that should be updated to fit the team’s needs, circulated, collected, and provided to the Office of Broadband for statistical analysis vital to broadband Internet expansion.

In addition, LTPTs are provided with:

- Support from the Office of Broadband, including assistance with meeting facilitation and verification of speed test data.
- Contact information for other LTPTs around the state to share discussions and planning strategies.
- Links to planning resources, research, and other materials available on the Office of Broadband’s webpage. Available resources include maps, statewide survey results, the regional broadband Internet workshop summary and recordings, funding opportunities, and partnership information.
- A comprehensive broadband availability map from the NTIA.
- Guides on broadband Internet 101; Broadband planning processes; broadband planning inventories; strengths, weaknesses, opportunities, and challenges analysis; sample questions for meetings/discussions; and, community and business survey distribution practices (Florida Office of Broadband, 2022a).

The Toolkit for LTPTs names nine steps for a planning process and provides steps and a timeline for completing each one:

- Step 1 - Engage Stakeholders
- Step 2 - Assemble a Team
- Step 3 - Identify Community Priorities
- Step 4 - Harness the Data
- Step 5 - Consider Digital Inclusion
- Step 6 - Assess Resources and Infrastructure
- Step 7 - Engage Local Internet Service Providers
- Step 8 - Evaluate Solutions
- Step 9 - Develop & Execute Solutions (DEO, 2021)

The intended result from this effort is “diverse community industry sectors working together to develop measurable goals, objectives, and benchmarks that will keep Florida’s broadband adoption and expansion efforts on track at every level of government in subsequent years” (Florida Office of Broadband, 2022a).

Action Steps:

- a. Use the Toolkit and any other relevant training materials as the basis for educating and organizing LTPTs.
- b. Provide technical assistance on the use of the state’s broadband Internet availability map and other publicly available broadband Internet databases.
- c. Provide information about the strengths and weaknesses of various broadband Internet technologies so that local entities can make informed decisions about

the technologies or technology requirements that will best meet the needs of their unserved and underserved areas.

- d. Continue to implement an outreach and communication campaign to ensure that stakeholders across the state are aware of the local planning efforts underway.
- e. Continue to provide information on the Office of Broadband webpage about any technical assistance available through federal funding opportunities.
- f. Develop best practices and other resources for LTPTs to use to lower costs of providing broadband Internet service to unserved and underserved areas.
- g. Identify philanthropic organizations that could assist by providing technical assistance or funding to LTPTs or communities working to expand broadband Internet in their areas.

Strategy 13: Provide technical assistance to grant applicants that request such assistance.

Explanation: An experienced staff person or contractor with community needs assessment techniques and grant application preparation at the local government level could be engaged to provide technical assistance to ensure applicants are supported throughout the planning process.¹³

Action Steps:

- a. Determine which technical support needs can be provided either through staff or a contractor to ensure that all applicants' needs are met and that applicants are treated fairly.
- b. If technical assistance is outsourced, consider models such as those used by the Illinois and Minnesota broadband Internet offices for empowering local communities to identify unserved and underserved areas, identify needs for broadband Internet services, and assist in developing grant applications.
- c. If resources are available, provide opportunities to pursue planning grants such as under the Rural Infrastructure Fund or the Community Development Block Grant to each eligible local entity functioning as an LTPT. Such grants may be useful for local entities to obtain necessary technical expertise.

¹³ For example, the Benton Foundation and the Blandin Institute use the same individual to provide technical training to communities. With respect to the Benton Institute program in Illinois, 30 hours of expert consultation to facilitate community-driven broadband Internet planning is offered. The Blandin Institute similarly provides consultation to rural communities in Minnesota that are starting their planning for broadband Internet expansion. This consultation guides them through the steps in preparation for conducting a feasibility study and organizing for the subsequent steps. Communities get a 'grant' of up to 35 hours of the consultant's time (Blandin Foundation, 2022; Illinois Department of Commerce & Economic Opportunity, n.d.).

I.9. Attract providers to serve rural, low population density areas

Strategy 14: Develop an approach to increase communities' purchasing power by attracting multiple providers to deploy broadband Internet in rural, unserved, and underserved areas in those communities.

Explanation: Providing broadband Internet to low-population density rural areas may require government subsidies to offset provider costs, thus making service to rural customers commercially attractive. Individually, low-population density areas may be unable to attract interested providers due to the cost of developing proposals and high project risk relative to potential profits. However, when aggregated, they might be able to attract more than one provider. For local areas that aggregate their service needs, state contracts may be available through which to obtain the necessary services. The objective of aggregating or using state contracts would be to reduce procurement-related overhead costs to the local subdivisions and overall project costs.

This strategy may overcome two factors that might limit counties' success in engaging providers of broadband Internet service for unserved and underserved areas: 1. County-specific procurement processes that may include unique requirements related to areas where revenue potential is limited; and 2. Conducting the procurement process itself is a barrier for resource-limited rural counties.

Several rural counties have implemented procurement processes that include grants. A more expansive inventory of Florida county procurement efforts may reveal best practices that might be applicable more broadly.

Action Steps:

- a. Identify areas that are unable to attract a provider, but that when aggregated with other areas, might attract one or more providers.
- b. Facilitate local communities or regions to jointly determine the technical services needed for grant management.
- c. Select a vendor or vendors that will provide services to all participating communities or regions.
- d. Catalog best practices used by counties to procure broadband Internet services, paying special attention to practices used by counties with the lowest population density.
- e. Post best practices for procurement on DEO's website and periodically update them to be used as a resource for counties to promote broadband Internet expansion.
- f. Facilitate local communities or regions' in conducting business case studies to determine the economic feasibility of providing various scalable levels of broadband internet service.

I.10. Coordinate infrastructure installation projects

Strategy 15: Encourage local communities to coordinate infrastructure projects, such as roads and broadband Internet, to reduce overall costs.

Explanation: Failure to coordinate planning for infrastructure projects could result in land or rights of way being dug up more than once when broadband Internet providers install fiber after lines and conduits have been installed as part of roadway construction projects. Such duplication of effort can be costly to the community in terms of traffic disruptions and reduced road life (Wilde et al., 2002).

Dig Once, involving coordination, has been identified by the U. S. Government Accountability Office as a means of reducing the overall cost of infrastructure installation with opportunities for joint trenching and sharing of overhead such as maintenance of traffic, staging construction activity, and restoration expenses (Fleming, 2012).

A new rule authorizes federal highway projects to permit the sharing of conduit for that purpose (Federal Highway Administration, 2021). This same rule requires the state to designate a utility coordinator with responsibility for facilitating the broadband Internet infrastructure right-of-way efforts in the state.

Action Step: Readily provide information through toolkits, outreach, and website availability, about the use of “Dig Once Policies” defined in the Broadband Planning Toolkit as “the installation of accessible, buried conduits during various infrastructure projects to enable providers to affordably install fiber with ease by running it through available conduits at a later time” (DEO, 2021a, p. 25). Engage with state agencies such as the Florida Department of Transportation for best practices methods in planning infrastructure construction projects which co-locate resources, utilities, or services, disseminate this information to all interested parties, and make it available by request or conveniently online.

II. Adoption and Use

For broadband Internet providers to recover their investment in broadband Internet-related capital outlay over the long term, revenue streams from consumers must be adequate to offset costs. The provisions of the 2021 Act underscore the need for adoption as a means of sustaining broadband Internet services. The defined term “sustainable adoption” implies that while public financial support may be important in the short term, the end goal is for providers to be able to encourage “adoption and use levels” that allow services to be offered without government subsidies. (§ 288.9961(2)(e), Fla. Stat.).

The 2021 Act recognizes the importance of adoption of broadband Internet service by requiring the Office of Broadband to “encourage the use of broadband Internet service, especially in the rural, unserved, or underserved communities... through grant programs.” (§ 288.9961(4)(d), Fla. Stat.).

Furthermore, the Broadband Opportunity Program prioritizes the use of grant funding to spur adoption by actively promoting adoption, having wide support from the community, and providing access to broadband Internet service to the greatest number of households and businesses. (§ 288.9962(7)(a), Fla. Stat.).

ADOPTION occurs when consumers — residents or businesses — subscribe to high-speed Internet service. Digital literacy is the ability to use a variety of broadband-enabled devices for engagement in online services. Adoption and digital literacy strategies work hand in hand. The strategies for adoption involve identifying local barriers to broadband adoption and developing methods for overcoming them at the local level. These strategies also address the state facilitating, and assisting with, local efforts, including efforts to obtain funding. In addition, the strategies address methods to overcome the identified digital divide, ensure that anchor institutions obtain the broadband they need, and provide technical assistance to local communities.

It is difficult to predict the long-term availability of public subsidies supporting adoption of broadband Internet service. Large federal infusions of funding may be time limited, e.g., the emergency connectivity subsidy was extended to June 2023, but evidence shows that adoption challenges persist and may be difficult to overcome (Manlove & Whitacre, 2019a, 2019b; Perrin, 2021; Perrin & Atske, 2021; Vogels, 2021, 2021b). Therefore, organizations charged with stimulating demand for broadband Internet may need to be involved in adoption activities over the long term.

II.1. Bridging the adoption digital divide

Strategy 16: Expand policymakers’ and other stakeholders’ knowledge of ways to bridge the adoption digital divide between urban and rural communities.

“The shape of the digital divide is different in each community. Affordability, infrastructure, lack of devices or skills, and low awareness of the internet’s benefits can all be factors. To best respond to community needs, local leaders must have a complete picture of their current broadband landscape. Identifying gaps by conducting a needs assessment is the first step in creating effective solutions to close the digital divide” (De Leon & Sanchez, 2020).

Explanation: The existence of an urban-rural divide in broadband Internet availability and adoption is documented in *The Status of Broadband in Florida* report (PURC, 2022) that lays part of the foundation for this Strategic Plan.

Adoption is at the heart of Florida’s broadband Internet policies. “The sustainable adoption of broadband

Internet service is critical to the economic and business development of this state and is essential for all residents of this state, libraries, schools, colleges and universities, health care providers, and community organizations.” (§ 288.9961(1), Fla. Stat.).

Yet, the challenge of spurring broadband Internet adoption and meaningful use has persisted for decades. In some instances, availability has been a primary barrier to adoption. In other instances, the cost of connectivity and end-user devices will continue to affect some segments of the population, and, in many instances, potential customers have not seen the value of adopting broadband Internet, regardless of the price.

The mechanisms that might spur adoption are currently not yet fully understood, making it difficult to identify precisely the most effective actions at either the state or local level (Beard et al., 2022). Discussions during Office of Broadband workshops conducted in early 2021 pointed to reliability being more of a barrier than cost (DEO, 2021b). Barriers to adoption must be identified and understood to craft the appropriate public sector responses. The use of broadband Internet services for addressing peoples’ needs with respect to job training, the workplace, education, health and housing has been impeded by limitations with respect to end-user technology.

Action Steps:

- a. Identify gaps in broadband Internet adoption that may not be filled absent financial assistance to consumers.
- b. Identify broadband Internet adoption gaps that will persist despite there being adequate financial assistance.
- c. Identify and publicize best practices for providing information about and availability of needed financial assistance for broadband Internet adoption

- through cooperation with and partnerships between providers, government, and regional leaders, with emphasis on unserved and underserved communities.
- d. Collaborate with providers on studies of why some potential broadband Internet customers choose to not purchase the service for reasons other than affordability.
 - e. Provide guidance, coordination, and support for LTPTs and other regional entities as they establish goals for broadband Internet adoption in their respective communities to ensure that the needs of all communities and residents within those communities are considered, including the need for appropriate end-user technology.
 - f. Use relevant data from state and national sources to identify where adoption lags state averages.
 - g. Utilize public speed-testing (crowdsourcing) and other techniques to identify unserved and underserved locations.

Strategy 17: Assemble and analyze information gathered by Internet Service Providers, LTPTs, and other regional entities to identify gaps in adoption. Overlay these identified areas with other state data indicating economic and community development indicators to determine potential correlation and use this analysis to better refine knowledge of gaps in adoption and meaningful use of broadband internet service.

Explanation: Whenever possible the Office should work with all relevant stakeholders to maximize usage of gathered data. Leveraging multiple sources of data will strengthen the statewide perspective of the Department. Placing particular emphasis on determining gaps in Broadband adoption and the related data source showing that gap can help identify both areas of need and potential correlations to reasons those areas remain of need.

Action Steps:

- a. Collaborate with broadband Internet providers in studies of customer use and potential customers' reasons for non-adoption.
- b. Provide technical assistance to LTPTs and other local and regional organizations with designing and conducting surveys of end residents and businesses in various settings such as educational institutions, libraries, community centers, senior centers and other venues to find out more about their use of broadband Internet services to ensure that community surveys collect sufficient demographic data to make results useful.
- c. Analyze data collected at the local level to identify statewide patterns and use findings as the basis for further training and technical assistance for LTPTs and other regional entities, including schools and libraries supporting broadband Internet adoption.

II.2. Insufficient local technical support may limit adoption of broadband Internet-supported services

Strategy 18: Prepare people for emerging information technology jobs and business opportunities and identify ways of using existing positions or volunteers to meet increased end-user needs related to adoption and use of broadband Internet services.

Explanation: This strategy is related to strategy 10: *Prepare the workforce for the jobs that will emerge from the federal infrastructure programs*. As broadband Internet becomes more available across the state, additional opportunities for business creation and expansion, as well as a growing need for skilled workers to provide end-users with technology support and to improve the use of digital content or digital literacy, may become available.

Citizens and businesses without access to technical support may need assistance in keeping software and hardware safe, secure, and up to date (e.g., updates, security patches, use of antivirus applications and VPNs, especially for education and medical applications, but also for job searches and for submitting taxes and other interactions with government agencies). The U.S. Bureau of Labor Statistics estimates published in 2021, show that there were approximately 42,000 employees in computer support technical positions in Florida. Those data also show that in many areas of Florida, especially non-metropolitan areas, employment of people in support specialist positions is below the national average (United States Bureau of Labor Statistics, 2021).

Support for end-users can come from community members who are not exclusively dedicated to computer technology support. Positions in existing businesses and organizations may be repurposed to provide assistance to residents with technology and application questions. An example is the Digital Navigator Grant Program in Illinois where Digital Navigators¹⁴ assist community organizations and residents with digital literacy skills (Illinois Department of Commerce & Economic Opportunity, n.d.).

Action Steps:

- a. Inventory workforce development programs that prepare people for jobs in information technology and consumer technology occupations.
- b. Develop programs that recognize achievements in information technology workforce and business development. Recognition could range from verbally during coordination opportunities to formal certificate of recognition award programs.

¹⁴ “Digital navigators are trusted guides who assist community members in internet adoption and the use of computing devices. Digital navigation services include ongoing assistance with affordable internet access, device acquisition, technical skills, and application support” (NDIA, n.d.).

- c. Work directly with workforce development agencies and educational institutions to increase the number of technology-trained individuals in the workforce with a focus on workforce and training provisions related to the use of federal funds.
- d. Work with LTPTs and other local organizations to identify opportunities to develop “digital navigators” who could provide technical support to end-users.

II.3. Coordinate funding programs with components meant to address adoption and use of broadband internet service.

Strategy 19: Focus at least a portion of state-level digital equity grant administration efforts on broadband Internet education and training programs, raising awareness of broadband Internet-based applications, and providing equipment to schools, libraries, colleges and universities, healthcare points of access, housing providers, and community support organizations to assist with digital literacy efforts.

Explanation: The monitoring effort directed toward optimizing the use of digital literacy funds should include functions that both evaluate and track any new money coming into the state and measure effectiveness in increasing broadband Internet adoption.

In terms of digital literacy funds that are known to be available, the NTIA has made \$2.75 billion available nationwide for three Digital Equity Act Programs. Those funds are to be used to “ensure that all individuals and communities have the opportunity to acquire the same skills, technology, and capacity needed to engage in the Nation’s digital economy” (NTIA, 2022b, para. 7). For grant application purposes, state and local datasets should include demographic information that federal agencies will seek, such as the racial or ethnic characteristics of the people surveyed and residence information with which to identify whether they live in urban or rural areas.

While further guidance is forthcoming, at this time, funds available through the Digital Equity Act will be allocated as follows:

- State Digital Equity Planning Grant Program, to be used by states and territories to create digital equity plans. (Planning only).
- State Digital Equity Capacity Grant Program, to be used by states and territories for implementing digital equity projects and support for implementing digital equity plans. (Planning and Implementation).
- Digital Equity Competitive Grant Program to implement digital equity projects. (Implementation).

The Planning Grant and Capacity Grant program funds will be allocated to the states through a formula.

Action Steps:

- a. Assess methods to utilize information and the needs for information from the LTPTs or other local entities. Utilize any information collected by LTPTs and other local entities about the need for programs that will encourage broadband Internet service adoption and use.
- b. Encourage LTPTs and other local entities to collect and provide to the Office of Broadband datasets that can be used to identify the broadband Internet adoption needs of those who are low income, incarcerated, elderly, and veterans. In addition, such local datasets should include information about the broadband Internet adoption needs of individuals with limited English language proficiency and persons with disabilities.
- c. Dependent upon staffing and resources available at DEO, work with LTPTs and regional entities to coordinate securing grants for local digital equity programs.
- d. Dependent upon staffing and resources available at DEO, provide technical assistance to entities working to reduce the digital divide to help them maximize funding for their programs.
- e. Directly coordinate with state agencies through the broadband coordination efforts as well as the Rural Economic Development Initiative to assist rural communities by waiving financial match requirements to the extent allowed by law (if a match requirement is determined to be a barrier to the local unit).
- f. Work with philanthropic organizations to encourage them to contribute funding for ongoing adoption-related efforts.
- g. Position the state to maximize funding available for adoption:
 - Identify and monitor potential public and private funding sources for broadband Internet adoption projects.
 - Establish a portfolio of documents frequently required for state and local grant applications to prepare for submissions.
 - Work with local communities and Internet service providers to identify a means of lowering the cost of broadband Internet service plans through the coordination of various support mechanisms.

II.4. Ongoing state-specific, adoption-related data collection

Strategy 20: Develop processes for the ongoing collection of data with which to identify emerging barriers to sustainable broadband Internet adoption in rural, unserved, and underserved communities.

Explanation: No ongoing data collection funding is currently provided by the state beyond the initial data/mapping that is to be completed by June 30, 2022. The U.S. Census Bureau's American Community Survey collects data on household adoption, but the data is high-level, aggregated, and collected from a small sample. The Pew Research Center also reports on broadband Internet adoption, but the reports are not state-specific. The Technology Policy Institute, which uses all publicly available data on its website, has information about Florida.

Action Steps:

- a. Collaborate with the NTIA, FCC, and other states to analyze and collect data that identify where broadband Internet adoption is absent or inadequate, what customers find most valuable about broadband Internet services, and why potential customers are not buying broadband Internet services. This collaborative effort should include the evaluation of the performance of broadband Internet programs and subsidies that the federal government and states are creating and implementing.
- b. Implement a system for informing Floridians of opportunities to continue contributing information about their broadband Internet service and use through the Office of Broadband's website, as well as partnerships with other entities.
- c. Structure the state's data collection efforts related to broadband Internet adoption to meet the requirements of the various federal funding programs and to meet the state's need for data with which to evaluate those programs.

III. Accountability

Introduction: Accountability means ensuring each grant award and activity delivers results in business growth, job growth, workforce education and job training, healthier Floridians, and workforce housing. These results are what make a connected economy effective and enhance the communities of Florida and the lives of Floridians.

Accountability must be built into the process of developing grant programs from the beginning, along with procedures for oversight of grantees. That approach should reduce

the risk of grantees not fulfilling their obligations and increase the likelihood that unserved and underserved areas will be provided with sustainable broadband Internet services on a timely basis. The need for accountability also requires mechanisms in grant agreements for imposing binding penalties for grantee non-compliance or non-performance.

Two types of accountability requirements are framed in state law, and they are intended to inform different audiences. In the first type, requirements are included expressly in statute. In the context of the 2021 Act, the Office of Broadband is responsible for keeping the Governor, the Legislature, and the public informed about activities undertaken pursuant to the 2021 Act. (§ 288.9962(10), Fla. Stat.).

The second type of accountability applies to grantees and will be established in the Department's rules and grant development procedures. In the context of the 2021 Act, DEO is to promulgate rules and address accountability in grant agreements, including conditions of performance and mechanisms for imposing binding penalties for grantee noncompliance or nonperformance. In addition, federal funding programs for broadband Internet expansion, adoption, and related work may come with additional accountability requirements.

III.1. Appropriate methods and capacity to ensure that the state's broadband Internet goals are met by grant recipients

Strategy 21: Ensure the goals of this Strategic Plan – enhancing Business and Job Growth, Workforce Housing, Education, and Job Training, and Healthier Floridians – are being achieved as a result of the Program's activities.

Explanation: This Strategic Plan guides the state in implementing the Office of Broadband and its mission. Compliance with this Strategic Plan is a requirement for grant applicants. The underlying purpose to the Office of Broadband's activities to reduce unserved and underserved areas and increase connectivity is to achieve the results of enhancing Business and Job Growth, Workforce Housing, Education, and Job Training, and Healthier Floridians.

Action Steps:

- a. Actively design data collection and reporting methods for the Program and grant recipient agreements to report responsive data regarding completion of the goals listed above.
- b. Design internal procedures and methods to collect, track, and report on data collected under above action step a.

Strategy 22: Develop robust contracts and funding requirements that ensure grant recipients have clear, measurable service commitments to promote accountability.

Explanation: Clear, measurable commitments will ensure accountability and transparency in the spending of public funds and through the contracting process between the state and other entities. Confirming accountability is a foundational component of planning and implementing a rigorous program that will benefit the citizens and communities of Florida as that accountability sets grantees up for successful sustainable projects.

Action Steps:

- a. Determine which accountability mechanisms and requirements are best suited to being disseminated as agency rules and which are best suited for inclusion in grant agreements, and develop rules and contracts/grant agreements accordingly.
- b. Develop and utilize grant funding agreement instruments that include provisions for recipients, providing specific and verifiable data needed to ensure that they are meeting their commitments.
- c. Establish grant criteria that include deadlines for the installation of infrastructure to ensure that customers have a usable service within time limits established by law.
- d. Incorporate incentives for recipients to fulfill their commitments, including commitments to provide required data. For example, receipt of funding could be conditioned upon fulfillment of commitments. Alternatively, in situations where funding is provided before performance, impose binding financial penalties for failure to fulfill the requirement.
- e. Ensure that grant criteria recognizes and rewards collaboration at the local level that will spur economic and workforce development, job creation, and overall quality of life for residents and visitors.

Strategy 23: Make receipt of funding contingent upon fulfilling reporting requirements and commitments.

Explanation: To determine whether grant funding programs have achieved the articulated goals, absent independent sources of information, the grant development administration processes must include a means of obtaining the necessary data. That is to say, accountability for the use of public funds must be built into the process from the beginning. Potential grantees must be vetted through a rigorous review process to ensure that, if selected, the awardee will have the capacity to complete the project on time and within budget.

Grant applications should include sufficiently detailed data, aggregated and anonymized appropriately, that is useful for the Office of Broadband's planning efforts as well as for evaluation of the service area proposed for the funded project. The funding application

scoring system must include weighting factors that will result in selection of grantees most likely to achieve the specific program goals. The Office of Broadband must have sufficient contract management expertise to monitor providers' progress toward fulfillment of grant requirements during and upon completion of projects. Such monitoring needs include field verification of work in progress and upon completion. Agreements need to include provisions for regular reporting to the Office of Broadband of data necessary to track project progress and evaluate the extent to which identified goals are met as a result of the project.

Action Steps:

- a. Base grant funding on accomplishment of measurable objectives within a specified timeframe, such as the number of households able to adopt service by the end of 2023, the number that do adopt service, and the quality of the service at the time of adoption.
- b. Monitor grant recipient performance against those objectives.

III.2. State-level coordination among state agencies using federal funds for broadband Internet expansion activities.

Strategy 24: Enhance state-level capacity to implement broadband Internet expansion and adoption through program governance and agency structure.

Explanation: Federal and state funds for broadband Internet expansion are or will become available to the private sector, several state agencies, and counties, cities, and anchor institutions. The existence of a variety of funding streams raises the risk of a lack of coordination in optimizing the use of these funds. With such a critical component of community development, any risk of a lack of coordination can prove inefficient.

Action Steps:

- a. With DEO as lead, establish routine communication between DEO and representatives from the Florida Department of Education, Florida Department of Transportation, Florida Department of State, Florida Department of Management Services, Florida Public Service Commission, Florida Department of Health, Florida Department of Children and Families, Florida Department of Environmental Protection, Florida Department of Agriculture and Consumer Services, Florida's REACH Office, and other state agencies involved with developing state infrastructure or applications that rely upon broadband Internet technology. The 2021 Act directs DEO to "work collaboratively with private businesses and receive staffing support and other resources from Enterprise Florida," among other entities. (§ 288.9961(3), Fla. Stat.).

- b. Clearly identify roles for all agencies involved in the expansion and adoption of broadband Internet as well as the program(s) within each agency that have overlapping interests regarding broadband Internet, including what data sharing should be regularly conducted.
- c. Share ideas about how to best enable Floridians in rural areas to make use of broadband Internet applications such as telemedicine, e-learning, and telework as well as broadband Internet related funding opportunities.
- d. Collaborate with other agencies to engage with and/or advise the Office of Broadband on key decisions and activities within their purview, including public investments and project prioritization, that directly or indirectly impact broadband Internet services.
- e. Conduct an annual meeting with ISPs, LTPTs, and stakeholders to examine and gain perspectives on the state's progress toward expanding sustainable adoption in unserved and underserved areas.
- f. Share information with the Office of Broadband on federal programs that may inform or affect its activities.
- g. Jointly monitor relevant federal proceedings.

Strategy 25: Ensure state programmatic framework considers and adapts from other recent programs to avoid pitfalls and achieve efficiency in state program effectiveness.

Explanation: Federal and state funds for broadband Internet expansion have been utilized across the country (and world) under various broadband Internet-related programs. These programs have had many different methods to achieve the same underlying purpose: enhance availability and use of broadband Internet services. Over time, some methods of programs have appeared to have achieved more effective results. See Appendix F, Literature Review, particularly in Section VI, Programs to Increase Broadband Access, for further detailed information and study. Different market conditions play a role in the effectiveness of a broadband Internet program, and many of these conditions operate as barriers to entry. As Florida enhances the state broadband program(s), it is critical the state does so with deliberate planning and intentional goals to maximize the effectiveness of the grant programs as a whole and ensure these program efforts are undertaken accountably.

Action Steps:

- a. Actively weigh program methodology options such as Facilities-Based Competition¹⁵ versus Services-Based Competition¹⁶ or Municipal Provision,¹⁷

¹⁵ The term facilities-based (or infrastructure-based, or inter-platform) competition is used in the telecommunications industry to describe competition between providers of the same or similar services where the service is delivered by different or proprietary means or network.

¹⁶ Service-based (or intra-platform) competition refers to when new entrants compete with incumbents by leasing facilities such as local access networks from incumbents.

¹⁷ Municipal broadband Internet provision is broadband Internet access provided by local governments.

particularly under the circumstances where studies and programs have demonstrated the conditions under which Facilities-Based Competition far outperforms Services-Based Competition for effectiveness in providing new broadband Internet availability and use.

- b. In public rulemaking, seek public input on these different methodologies and incorporate as appropriate.
- c. With the LTPT, actively lead discussion and research of these different methodologies.
- d. Continue to monitor relevant federal and other state programs' implementation and successes.
- e. Actively build upon this Strategic Plan and the legislatively-required biennial updates with any new studies, program successes, program pitfalls, or known aspects of effectiveness, to continue to advance broadband Internet in the state of Florida.

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Glossary

2021 Act: See the Glossary entry for Florida Broadband Deployment Act of 2021.

Adoption: The subscription of consumers — residents or businesses — to high-speed Internet service.

Anchor institutions or community anchor institutions: Industrial, commercial and office park worksites, schools, libraries, medical and healthcare points of access, housing providers, public safety entities, institutes of higher education, and other community support organizations that provide outreach, access, equipment, and support services to facilitate greater use of broadband Internet service by the entire population and local governments (National Telecommunications and Information Administration [NTIA], 2022).

Availability: Whether or not an internet connection point exists and in what manner. A precondition for connecting to the Internet, but the availability of a connection alone does not guarantee Internet use, nor sufficiency of the internet available.

Broadband: High-speed Internet access.

Broadband Internet service (sometimes referred to as “broadband service”): A service that offers a connection to the Internet with a capacity for transmission at a consistent speed of at least 25 megabits per second downstream and 3 megabits per second upstream. (§ 288.9961(2)(a), Fla. Stat. and § 288.9963(2)(b), Fla. Stat.).

Broadband speeds: Speeds expressed with two numbers separated by a diagonal line “/” and a designation of the amount of data, such as “100/20 Mbps.” The first number represents the amount of data users receive (download), and the second number represents the amount of data users can send (upload).

Mbps: Megabits per second refers to millions of bits of binary information—zeros and ones—that are passed in a second.

Gbps: Gigabits per second refers to the number of bits in billions.

Crowdsourcing: The online collection of data. In this document, specifically Internet speed data.

Digital divide: The gap between people who have access to broadband services, have adopted it, and know how to use digital content (digital literacy) and those who do not.

Digital equity: The condition in which individuals and communities have the information technology capacity needed for full participation in the society and economy of the United States (Infrastructure Investment and Jobs Act, Title III, Digital Equity Act of 2021).

Digital literacy: The ability to use a variety of broadband Internet-enabled devices to engage in online services. One formal definition is “[t]he ability to leverage current technologies, such as smartphones and laptops, and Internet access to perform research, create content and interact with the world” (NTIA, 2016, p. 5).

Download: To copy (data) from one computer system to another, typically over the Internet.

Florida Broadband Deployment Act of 2021 “2021 Act”: Ch. 24, 2021 Fla. Laws, codified at §§ 288.9961-288.9963, Fla. Stat.

Funding Opportunity Announcement: A document used by federal agencies to announce the availability of grant funds to the public.

Gbps: Gigabits per second refers to the number of bits in billions.

Grant: The funding provided by the federal, state, or local government. Grant agreements take different forms, including partial project funding (i.e., requiring a match), and are contracts between the granting entity and the grantee.

Last Mile: The final leg of a network that provides service to the home, business, or community institution.

Local Technology Planning Team: Local teams built and facilitated by the Office of Broadband and composed of members representing cross-sections of the communities in which they are formed. Local Technology Planning Teams (LTPTs) work with rural communities to help them understand their current broadband Internet availability, locate unserved and underserved businesses and residents, identify assets relevant to broadband Internet deployment, build partnerships with broadband Internet service providers, and identify opportunities to leverage assets and reduce barriers to the deployment of broadband Internet service in the community. LTPTs must be proactive in fiscally constrained counties in identifying and providing assistance with applying for federal grants for broadband Internet service.

Middle Mile: The middle mile is the physical mid-section of the infrastructure required to enable internet connectivity for homes, businesses, and community institutions. The middle mile is made up of high-capacity fiber lines that carry large amounts of data at high speeds over long distances between local networks and global internet networks.

Mbps: Megabits per second refers to millions of bits of binary information — zeros and ones — that are passed in a second.

Notice of Funding Availability: Also referred to as a Notice of Funding Opportunity (NOFO), is the document used by federal agencies to announce the availability of grant funds to the public.

Office of Broadband: The Florida Office of Broadband established within the Division of Community Development in the Department of Economic Opportunity in 2020. (§ 288.9961(4), Fla. Stat.).

Premises Passed: the number of end user locations, residential homes or otherwise, passed when installing fiber technology.

Request for Quotes: An oral, electronic, or written request for written pricing or services information from a state term contract vendor for commodities or contractual services available on a state term contract from that vendor. (§ 287.012(24), Fla. Stat.).

Request for Proposal (RFP): A written or electronically posted solicitation for competitive sealed proposals. (§ 287.012(23), Fla. Stat.).

Sustainable adoption: The ability for communications service providers to offer broadband Internet services in all areas of this state by encouraging adoption and use levels that allow for these services to be offered in the free market absent the need for governmental subsidy. (§ 288.9961(2)(e), Fla. Stat.).

Underserved: A geographic area of this state in which there is no provider of broadband Internet service that offers a connection to the Internet with a capacity for transmission at a consistent speed of at least 100 megabits per second downstream and at least 10 megabits per second upstream. (§ 288.9961(2)(f), Fla. Stat.).

Unserviced: 1. A geographic area of Florida in which there is no provider of broadband Internet service. (§ 288.9961(2)(g), Fla. Stat.); or 2. In the context of Attachment of Broadband Facilities to municipal electric poles, no retail access to the Internet at speeds of at least 10 megabits per second for downloading and 1 megabit per second for uploading. (§ 288.9963(e), Fla. Stat.).

Upload: To transfer (data) from one computer to another, typically over to one that is larger or remote from the user or functioning as a server.

Acronyms and Abbreviations

ADSL – Asymmetric Digital Subscriber Line

BEAD – Broadband Equity, Access, and Deployment

BIP – Broadband Initiatives Program

BTOP – Broadband Technology Opportunities Program

CAF – Connect America Fund

CBRS – Citizens Broadband Radio Service

CLEC – Competitive Local Exchange Carriers

CPF – Capital Projects Fund

CTC – Community Technology Centers

DBO – Design-Build-Own

DEO – Department of Economic Opportunity

DOCSIS – Data Over Cable Service Interface Specifications

DSL – Digital Subscriber Line

FCC – Federal Communications Commission

Gbps – Gigabits per second

HFC – Hybrid Fiber-Coax

IIJA – Infrastructure Investment and Jobs Act

IOU – Investor-owned utility

ISP – Internet service provider

LTPT – Local Technology Planning Team

Mbps – Megabits per second

NTIA – National Telecommunications and Information Administration

PCC – Public Computer Centers

PSC – Florida Public Service Commission

PURC – Public Utility Research Center in the Warrington College of Business of the University of Florida

RAO – Rural Areas of Opportunity

RDOF – Rural Digital Opportunity Fund

REC – Rural electric cooperative

RFP – Request for Proposal

WISP – Wireless Internet Service Provider

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Appendices

A. Areas for Further Research

- I. Pole Attachments
- II. Suggested Further Action for Pole Attachments
- III. Municipal Broadband
- IV. Suggested Further Action for Municipal Broadband

B. Strengths and Weaknesses of Various Technologies

- I. Cable Modem
- II. Fiber Optic Cable/Fiber to the Home
- III. Wireless/Radio Frequency (RF) Technology
- IV. Fixed Wireless
- V. Mobile Wireless
- VI. Satellite Connections
- VII. Broadband Performance Metrics and Benchmarks
- VIII. Broadband Technology Trends and Characteristics

C. Interviews with the Miccosukee and Seminole Tribes of Florida

D. Methodology and List of Interviewees

- I. Interviews

E. Office of Broadband Activities and Outreach

F. Literature Review

- I. Access Studies
- II. Adoption Studies
- III. Rural Access and Adoption Studies
- IV. Regulatory Framework Studies
- V. Missing in the Literature
- VI. Programs to Increase Broadband Access
 - a. Subsidies for Provision
 - b. Barriers to Provider Entry
 - c. Promoting Facilities-Based Competition (versus Service-Based Competition)
 - d. Municipal Provision
 - e. Public-Private Partnerships
 - f. E-Rate Program (established in 1996)

- g. Public Computing Centers
- VII. Programs to Increase Broadband Adoption
 - a. Programs Addressing Price as a Barrier to Adoption
 - b. Programs Addressing Lack of Computer Ownership
 - c. Programs Addressing Digital Illiteracy
 - d. Other Programs Aimed at Increasing Adoption
- VIII. Rural Access and Adoption
- IX. Supply-Side Factors that Affect and May Increase Broadband Adoption
- X. Regulatory Framework Considerations

G. Federal and State Funds Available for Broadband Expansion and Support

DRAFT

Appendix A

Areas for Further Research

PURC identified two policy topics that may impact the implementation of this Strategic Plan and achievement of the goals of the Broadband Deployment Act of 2021 (“2021 Act”; Ch. 24, 2021 Fla. Laws, codified at §§ 288.9961-288.9963, Fla. Stat), but for which further research is needed. Analysis of the impact of existing policies and potential policy changes will be required to ascertain whether Florida law in these should be changed to support efforts undertaken to implement the 2021 Act. Those policy areas are:

- I. Pole Attachments
- II. Suggested Further Action For Pole Attachments
- III. Municipal Broadband Internet
- IV. Suggested Further Action For Municipal Broadband Internet

Each is discussed briefly in the sections that follow.

I. Pole Attachments

Pole attachment prices. Florida Statutes provide that “a broadband provider shall receive a promotional rate of \$1 per wireline attachment per pole per year for any new attachment necessary to make broadband service available to an unserved or underserved end user within a municipal electric utility service territory for the time period specified in this subsection.” (§ 288.9963(3), Fla. Stat. (2021)). Otherwise, municipal utility pole attachment prices are unregulated in Florida, except by their city boards or other governmental bodies. Pole attachment prices for rural electric co-ops are also unregulated, except by their co-op boards.

Regarding prices charged for pole attachments, the questions for policymakers are:

- What do research findings suggest with respect to the impact of unregulated pole attachment prices on broadband Internet deployment?
- What does research suggest about the impact of the regulatory framework on such prices?

Mode of regulation. In response to the first question, there appear to be no studies finding a statistically significant connection between unregulated pole attachment prices and rural broadband deployment, and there appears to be no research on whether such prices create barriers to entry. At the time of writing, the rural co-ops themselves do not appear to be developing broadband businesses, and existing pole attachment rates will be a cost for broadband providers to do business. Furthermore, as is described in the next section titled “Municipal Broadband,” municipalities are only rarely involved in providing broadband services in Florida. As such, the attachment prices will be included in the amount of subsidy providers demand for deploying services in rural areas.

In response to the second question, broadband providers bear certain costs for attaching broadband equipment to existing poles, and those costs are passed on to their retail customers. The hypothesis here is that the cost to customers may be affected by the mode of regulation. Utilities are regulated in different manners depending on whether they are investor-owned utilities (IOUs), co-ops, or municipal utilities. The IOUs are rate regulated in Florida by the Florida Public Service Commission (PSC), rural electric cooperatives (RECs) are rate regulated by their boards, and municipal utilities are rate regulated by their respective city commissions.

At least one study appeared to find a difference in the impact depending upon type of regulation. Connolly (2019) found that prices paid to IOUs are about 56 percent lower than prices paid to co-ops and about 54 percent lower than prices paid to municipally owned electric utilities on a nationwide basis. Connolly found that co-op pole attachment prices are about 31 percent lower in states that regulate the prices. Connolly also found the average price difference between co-ops and IOUs is about 60 percent in Florida. If this nationwide difference, on a percent average basis, were applied to Florida, co-op pole attachment prices would be about \$6.30 per pole per year lower than the \$20.64 price Connolly found for Florida co-ops.

Connolly (2019) is but one study, however, so one cannot draw any definitive conclusion that the type of rate regulation, as it applies to broadband equipment attachment on existing poles, affects rates paid by retail customers. Connolly falls short of estimating effects on broadband deployment or retail broadband prices.

In some instances, broadband providers have struggled to obtain clear information from rural electric co-ops on pole availability. The challenge is more about the processes of obtaining the information and not a lack of cooperation from the co-ops. Broadband Internet providers appeared to be unaware that the PSC gathers extensive information on poles as part of its work on storm hardening and storm preparedness.

II. Suggested Further Action For Pole Attachments

Monitor availability and prices of pole attachments for broadband deployment.

1. Work with the PSC to make available to broadband Internet providers information on utility poles that the PSC collects as part of its storm hardening and storm preparedness processes.
2. Monitor pole attachment prices charged by municipalities and RECs and, if the prices appear to rise faster than prices for IOUs, or if the municipal or REC prices appear to result in less competition for broadband financial support in municipally-served or coop-served rural areas relative to IOU-served rural areas, conduct an analysis on the effects on broadband and identify appropriate policy responses.
3. Monitor pole attachment progress to determine whether pole replacement costs are hindering broadband development.

Florida pole replacement legislation. It is worth noting that the issue of pole replacement costs was considered by, but did not pass, the 2022 Florida Legislature in the form of SB 1800. If passed, the bill would have created the Broadband Pole Replacement Program to be administered by DEO's Office of Broadband. The program would provide reimbursement to eligible broadband Internet providers for costs they incur when removing and replacing utility poles in unserved areas. The bill would have taken effect July 1, 2022 (The Professional Staff of the Committee on Appropriations, 2022). The *Bill Analysis and Fiscal Impact Statement* contains a summary of the issues and background including information about current pole replacement laws in Florida and the federal broadband Internet infrastructure funds. That document is accessible from the Florida Senate website.

III. Municipal Broadband

PURC Discussion: Florida Statutes effectively prohibit municipalities from providing broadband services unless a private provider is unwilling to serve the area in question. (§§ 125.421, 166.047, 196.012, 199.183, 212.08, and 350.81, Fla. Stat.). As a result, municipalities are rarely involved in providing broadband Internet services in Florida. There are important reasons for restricting a government from competing against private businesses, but some evidence suggests that different restriction policies might improve broadband Internet adoption.

The research findings below suggest that municipal provision of broadband can have positive impacts in terms of increased broadband adoption, but also that municipal broadband is rarely financially viable and that governments distort markets when they are owners of competitive telecommunications providers. These findings imply that competitive safeguards may be needed to ensure that the net effects of the municipal provision of broadband would be positive.

Broadband coverage. Whitacre and Gallardo (2020) studied the effects of state laws restricting municipal broadband. They found that states with such restrictions have lower broadband penetration. They estimated that a county in a state with such restrictions and with a broadband penetration rate of 71.5 percent could increase its penetration rate to 74.7 percent if the restrictions were removed.

Broadband provider competition. An improvement in penetration, as found in Whitacre and Gallardo (2020), would not be without costs. Hauge et al. (2008) and Hauge et al. (2009) examined municipal provision of telecommunications, only some of which was broadband¹. These studies

The economics and provisioning of non-broadband telecommunications and broadband telecommunications to make the results applicable. The primary technical difference between traditional telecommunications and broadband is that the traditional service was circuit switched whereas broadband is packet switched. Circuit switching means that when a communication channel is opened for use by a subscriber, that channel remains in the exclusive use for that subscriber's call until the subscriber disconnects the call. With packet switching, the subscriber is given capacity for communication only as needed. Otherwise, the two modes of electronic communications share the same needs for

found that municipalities provided telecommunications services primarily in areas where low population density or other economic factors make it difficult for more than one private provider to offer service. They also found that in instances where two or more private providers could economically provide service, a municipal provider providing service replaces one of the potential private providers in the market.

Broadband project financial viability. Yoo and Pfenninger (2017) and Yoo et al. (2022) examined every municipal fiber optic project they could locate in the United States from 2010 through 2019. They found 88 projects, but only 20 reported sufficient information to assess financial performance. Yoo and Pfenninger restricted their analyses to those 20 projects. The study found that it was rare for a municipal fiber project that reports financial results to be cash positive. Indeed, the 2022 study found no projects that would remain financially viable without obtaining additional funding or debt relief, and nearly 90 percent were not generating enough cash to achieve long-run solvency.

Yoo and Pfenninger (2017) and Yoo et al. (2022) identified instances where cities choose to give preferential treatment to benefit their own broadband providers through the use of subsidies. Governments have other ways to take advantage of their own enterprises relative to privately-owned rivals. For example, Edwards and Waverman (2006) found that European telecommunications regulations favored service providers in which the governments had at least partial ownership.

Finally, Yoo and Pfenninger (2017) and Yoo et al. (2022) provided a possible explanation for the Whitacre and Gallardo (2020) results, namely that the municipalities in the Whitacre and Gallardo study were effectively subsidizing broadband development (which is contrary to the 2021 Act's intent for "sustainable adoption"). This could result in increased penetration, although not necessarily because government-owned businesses do not respond in the same ways as private businesses to financial incentives that would normally lead businesses to expand output if their production costs are subsidized (Brevitz et al., 2011).

IV. Suggested Further Action For Municipal Broadband

Monitor broadband development across the state and identify the locations of unserved rural areas that persist even with financial support provided under state and federal subsidy programs.

Competitive safeguards might be considered in the future, such as accounting separations. Based on the Yoo and Pfenninger (2017) and Yoo et al. (2022) findings of poor financial performance, accounting separations could help ensure that the municipal providers are not receiving anti-competitive subsidies. Then, based on the Edwards and Waverman's (2006) findings that government owners sometimes act on incentives to discriminate against rivals, competitive safeguards might include requirements for equal access to essential resources and greater

rights of way, poles, and conduit, permitting, facility construction, etc., and have network effects and connectivity challenges.

transparency in permitting. Accounting separations might be similar to those imposed by the PSC on IOUs that enter nonutility lines of business (PSC, 2004). Equal access and transparency requirements were imposed by the FCC and state telecommunications regulators on incumbent local telephone companies under the Telecommunications Act of 1996 to safeguard competition (Jamison & Sichter, 2010).

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Appendix B

Strengths and Weaknesses of Various Technologies

Broadband Technologies

The term “broadband” contrasts with “narrowband” communications service (e.g., lower speed dial-up connections over copper telephone lines using modems).¹ Consumers now associate broadband Internet connection with the “always on” high-speed Internet connections available using various telecommunications technologies, which continue to evolve and advance.

Broadband Internet connections are provided over wired (fiber optic cable or copper wire) or wireless (radio spectrum) transmission media. These wired or wireless technologies are used for “last mile” connections of the customer’s premise (home or business) to the first point of aggregation for the Internet (i.e., the telephone company or cable TV company switch). In addition, the customer will have inside wiring and Wi-Fi equipment on the premise to connect computers and other devices — the configuration of which will also affect transmission speed and performance.²

Digital Subscriber Line (DSL)

DSL is provided over traditional telephone (copper) lines with added electronic equipment at each end of the line (DSLAM at the telephone company switch and DSL Modem at the customer premise). The availability of DSL service is limited by distance from the telephone company’s central office — availability and speed depend on how far away the premise is from the central office or remote terminal. The signal reduces as distance increases, resulting in slower speeds. In general, DSL is not available beyond 18,000 feet.

DSL is becoming obsolete in the United States. For example, AT&T stopped accepting new orders for traditional DSL in 2020 and is phasing out traditional DSL service in favor of AT&T Fiber services.³ Verizon is also phasing out the copper network that supported DSL where it has deployed its FiOS fiber optic network. However, DSL technologies are still common in rural areas and fiber-to-the-node versions of DSL (for example, AT&T’s Internet Protocol Broadband (IPBB) are being offered.

¹ Note that there are other technical differences between broadband and narrowband. See, “Narrowband vs. Broadband: Terms Explained;” <https://rockymtnruby.com/narrowband-vs-broadband/> Last Updated: March 11, 2022.

² See for example, Understanding Internet Speeds, AT&T: <https://www.att.com/support/article/dsl-high-speed/KM1010095/>.

³ Pegoraro, R. (October 3, 2020). AT&T shelving DSL may leave hundreds of thousands hanging by a phone line. *USA Today*. Also see “AT&T no longer offers DSL service.” <https://www.att.com/internet/dsl/>.

Asymmetric DSL

Asymmetric DSL means the download and upload speeds are not the same. Thus, they are “asymmetric.” Download speeds range from 5 to 35 Mbps while uploads range from 1 to 10 Mbps.⁴

Other DSL Types

Other types of DSL service have evolved which offer greater speeds than ADSL. These types include ADSL2+, VDSL2, and G.Fast and are delivered using hybrid fiber optic/copper wire facilities. AT&T uses these technologies for its IPBB offering with “expected speeds” up to 100/20 and 500/100 Mbps.⁵

I. Cable Modem

Cable TV programming was originally delivered over coaxial cable which is a solid copper wire surrounded by insulating materials. Using successive generations of DOCSIS standards⁶, cable TV companies modified their networks by adding fiber optic cable to an optical node and then using existing coaxial cable for the remaining distance to provide high-speed Internet cable modem service. This network architecture is known as a hybrid fiber-coax network (HFC).⁷ “HFC networks are predominantly fiber The remaining portion of the HFC network is coaxial cable. The coaxial network is connected to the optical fiber network at a ‘fiber node,’ where the (fiber) optical signals are converted to radio frequency electrical signals for transmission over the coaxial network to the subscriber’s home.”⁸

- **DOCSIS 3.0** supports maximum download speeds of 1 Gbps and 100 Mbps upload.
- **DOCSIS 3.1** supports maximum download speeds of 10 Gbps and maximum upload speeds of 2 Gbps.⁹ DOCSIS 3.1 is widely deployed but “real-world implementations of DOCSIS 3.1 often max out at 940 Mbps down and 35 Mbps up.”¹⁰
- **DOCSIS 4.0** when deployed will provide the capability for symmetrical multigigabit broadband service.¹¹

⁴ DSL vs. Cable vs. Fiber: Which Internet Option is the Best? <https://broadbandnow.com/guides/dsl-vs-cable-vs-fiber> Last Updated: March 14, 2022.

⁵ Understanding Internet Speeds. <https://www.att.com/support/article/dsl-high-speed/KM1010095/>.

⁶ Data over Cable Service Interface Specifications or DOCSIS as maintained by CableLabs.

⁷ Hybrid Fiber-Coaxial Networks, CableLabs. <https://www.cablelabs.com/hfc-networks>.

⁸ A “101” on DOCSIS Technology: The Heart of Cable Broadband, CableLabs. October 14, 2020. <https://www.cablelabs.com/blog/a-101-on-docsis-technology-the-heart-of-cable-broadband>.

⁹ DOCSIS 3.0 vs. 3.1: What’s the difference between the two cable modems? By David Anders, CNET, December 16, 2021.

¹⁰ CableLabs sticks a fork into DOCSIS 4.0 specification, by Mike Robuck, Fierce Telecom, March 26, 2020. <https://www.fiercetelecom.com/telecom/cablelabs-sticks-a-fork-into-docsis-4-0-specification>

¹¹ A “101” on DOCSIS Technology: The Heart of Cable Broadband, CableLabs.

II. Fiber Optic Cable/Fiber to the Home

Fiber optic cable contains at its center a very thin ultra-pure glass strand about the thickness of human hair over which data is transmitted using light sent by laser electronics.¹² These strands are bundled into multi-fiber cables of various sizes (e.g., 288 fibers). Broadband speeds vary depending on several factors, including the optical networking gear used and how the service provider configures the service. Fiber has the capability to provide very high speeds which are symmetrical. For example, AT&T Fiber offers symmetrical speed tiers ranging from 5 Mbps to 5 Gbps.¹³ Also, Frontier recently announced a network-wide launch of 2 Gig fiber service.¹⁴ Fiber is also the most expensive broadband Internet technology to deploy since it uses dedicated fiber optic cable to each premise served.

III. Wireless/Radio Frequency (RF) Technology

There is a common misperception that “wireless service” means it is wireless all the way from the user’s smartphone to the other end of the communication, whether a voice call to another person, browsing a website, or streaming video. This is not the case. The wireless portion of the communication is typically relatively short, from the smartphone to the antenna, which is supporting the communication (either a “5G” small cell antenna on a pole or streetlight, a “4G” antenna on a taller tower, a fixed wireless receiver on a premise, or a Wi-Fi connection). The rest of the data transmission from the antenna or Wi-Fi connection occurs over the landline network, typically via fiber.

Radio spectrum in the United States is allocated and assigned by the FCC among specific uses and users, including mobile wireless, fixed wireless, and satellite services.

IV. Fixed Wireless

Fixed wireless access provides broadband Internet connection between two stationary points using radio signals, such as from a building or tower (access point) to a receiver located at the customer premise. The tower is typically connected to the Internet via fiber optic lines. Fixed wireless services depend on a line of sight between the tower and receiver with a range of up to 10 miles. Connectivity is a function of physics where lower frequencies can penetrate objects or clutter and other designs can go around corners or obstructions.¹⁵

¹² Frontier Communications. <https://blog.frontier.com/2021/01/what-is-fiber-optic-internet/>.

¹³ How it Works – Optical Fiber, Corning Glass <https://www.corning.com/worldwide/en/innovation/the-glass-age/science-of-glass/how-it-works-optical-fiber.html>. Also see, Understanding Internet Speeds. <https://www.att.com/support/article/dsl-high-speed/KM1010095/>.

¹⁴ Frontier heavily promotes network-wide 2 Gig fiber service launch, by Matt Vincent, Broadband Technology Report. February 22, 2022. <https://www.broadbandtechreport.com/fiber/article/14234391/frontier-trumpets-networkwide-2gig-fiber-service>

¹⁵ Fixed Wireless Access Solutions: Tomorrow’s Internet Today, page 7, WISPA.org, 2022.

Citizens Broadband Radio Service (CBRS) refers to a spectrum recently authorized by the FCC for shared use including general use on an unlicensed basis.¹⁶ CBRS can be used to deliver fixed wireless access and is expected to outperform Wi-Fi for in-building use. It is also anticipated that CBRS will be used to extend 5G wireless service.

Fixed wireless service is provided by Wireless Internet Service Providers (WISPs), predominantly serving rural markets.

V. Mobile Wireless

5G is the fifth generation of mobile wireless technology driving evolution of the wireless communications technology platform. First generation, 2G and 3G wireless service was provided beginning in the 1980s and 1990s using large towers, and 4G was characterized by the development of “apps” that needed sustained reliable connectivity, which in turn drove antenna densification, while 5G relies upon even more closely spaced, small antennas. 5G uses low-power transmitters with coverage radius of approximately 400 feet. 5G thus requires closer spacing of antennas and more of them. Small cells bring the network “closer” to wireless service users to deliver increased data capacity, faster connectivity speeds, and an overall better wireless service.

5G networks operate on frequencies in three bands¹⁷ using millimeter wavelengths — the highest of which is anticipated to offer download/upload speeds of 1 Gbps. The actual speed and range the consumer receives depends on a variety of factors, including what frequency is being used by the service provider: low-band, mid-band, or high-band. There are tradeoffs among the different bands, between speed and distance/coverage. General observations:

- Low-band frequencies work well across long distances and in rural areas; speeds are greater than 4G but slower than other 5G frequencies.
- Mid-band frequencies are currently sought after since they permit greater speeds while covering relatively large areas.
- High-band frequencies provide the fastest speeds but in more limited circumstances, such as close to the antenna and in areas without physical obstructions (i.e., windows, buildings, walls). Thus, high band will work well in dense areas where antennas can be placed every few hundred feet. This spectrum delivers the high speeds that are commonly associated with 5G.
- 5G networking will be a combination of low, mid, and high-band frequencies.
- Using 5G service requires using a 5G-ready device.

¹⁶ What is CBRS? By Linda Hardesty, Fierce Wireless June 23, 2020. <https://www.fiercewireless.com/private-wireless/what-cbrs>

¹⁷ When is 5G coming to you? The definitive guide to the 5G network rollout, by Tom’s Guide Staff, April 29, 2021. <https://www.tomsguide.com/special-report/when-is-5g-coming-to-you-the-definitive-guide-to-the-5g-network-rollout>

VI. Satellite Connections

Satellite technology provides near ubiquitous geographic coverage for the United States. Satellite Internet has vastly improved from its inception in the 1990s; however, it has been viewed as a solution primarily for rural and underserved areas. Like other Internet services using radio spectrum, satellite Internet service is affected by line-of-sight considerations such that trees and mountains interfere with access as does weather conditions such as rain or snow.¹⁸

Satellites in “**high earth orbit**” are 22,230 miles high. This distance creates the highest latency across all technology types according to measurements by the FCC (628 ms).¹⁹ Satellites launched by HughesNet and ViaSat can offer speeds up to 25 Mbps or greater, with speeds up to 100 Mbps promised for coming years.²⁰ While satellite coverage is ubiquitous, the adoption rate for 10/1 service is 1 percent (residential subscriptions divided by deployed households).²¹

“**Low earth orbit**” satellites “circle the planet at only around 300 miles above the surface. The shortened distance can drastically improve the Internet speeds while also reducing latency.”²² Starlink can deliver up to 150 Mbps Internet service.²³ Amazon also plans deployment of satellite Internet service (“Project Kuiper”).²⁴

VII. Broadband Performance Metrics and Benchmarks

The typical consumer considers performance of broadband transmission media measured primarily by speed (upload and download) and latency (duration of the end to end “round trip” communication).

¹⁸ See for example, “HughesNet is available coast to coast in the U.S. All you need is a clear view of the southern sky.” <https://internet.hughesnet.com/order-online/product-selection/>. Also, “Viasat Internet is available in all 50 states and covers much of the U.S. population in remote and rural areas where other internet companies offer slower service, or no service at all.” <https://www.viasat.com/satellite-internet/faq/>

¹⁹ *Id.*

²⁰ Satellite Internet in the USA, by Tyler Cooper, BroadbandNow. October 26, 2021. <https://broadbandnow.com/Satellite>

²¹ Fourteenth Broadband Deployment Report; In the Matter of Inquiry Concerning Deployment of Advanced Telecommunications Capability to All Americans in a Reasonable and Timely Fashion; GN Docket No. 20-269; Before the Federal Communications Commission, FCC 21-18, Released January 19, 2021, at footnote 121. (The “Fourteenth Broadband Deployment Report”). <https://www.fcc.gov/reports-research/reports/broadband-progress-reports/fourteenth-broadband-deployment-report>

²² “What is Starlink? SpaceX’s Much-Hyped Satellite Internet Service Explained, by Michael Kan, February 10, 2022. PC Magazine. <https://www.pcmag.com/how-to/what-is-starlink-spacex-satellite-internet-service-explained>

²³ *Id.*

²⁴ Amazon Sets the Stage for Five Years of Project Kuiper Satellite Internet Launches, by Ry Christ, CNET. April 5, 2022. <https://www.cnet.com/news/amazon-sets-the-stage-for-five-years-of-project-kuiper-satellite-internet-launches/>

Speeds are measured in Megabits per second or “Mbps.” One Mbps represents the capacity to transmit 1 million bits of data each second. Download and upload speeds are measured separately. Important speed thresholds affecting infrastructure funding:

- The **FCC threshold** for “broadband service” is 25 Mbps download and 3 Mbps upload. This definition is reviewed annually by the FCC, considering what “typical” users do with their broadband connection. The FCC is regularly urged to increase the speed threshold²⁵ and make the speeds “symmetrical” (identical download and upload speeds). Increasing the broadband threshold speeds would among other things increase the cost of FCC broadband support programs funded through the Universal Service Fund.
- The **IJA threshold** for “broadband service” is 100 Mbps download and 20 Mbps upload.
- The FCC’s **RDOF** relies on reverse auction bids using four performance tiers: Minimum (25/3 Mbps); Baseline (50/5 Mbps); Above Baseline (100/20 Mbps); and Gigabit (1 Gbps/500 Mbps).
- Florida Statutes defines “Broadband Internet service” as one “that offers a connection to the Internet with a capacity for transmission at a consistent speed of at least 25 [Mbps] downstream and 3 [Mbps] upstream” (25/3 Mbps). (§ 288.9961(2)(a), Fla. Stat.).

Latency is measured in milliseconds and is the time it takes for a data packet to travel across a network from one point on the network to another — the request-response time.²⁶ “Physical distances, number of network hops, routing protocols, and network equipment are generally more significant factors” contributing to latency.²⁷ The FCC’s RDOF defines “low latency” as less than or equal to 100 milliseconds, and “high latency” as less than or equal to 750 milliseconds.²⁸

VIII. Broadband Technology Trends and Characteristics

1. The customer’s location will be the biggest factor in determining broadband technology options. Rural areas will tend to have fewer options.
2. DSL has become obsolete due to distance limitations (availability limited to locations 18,000 feet or less from the switch) and speed limitations. DSL download speeds typically do not exceed 6 Mbps, which is one-quarter of the FCC’s benchmark for broadband: 25 Mbps.
3. DSL is often found in areas where cable or fiber Internet is not available. It is often cheaper than satellite or other services.

²⁵ Broadband: FCC Should Analyze Small Business Speed Needs, Report to Congressional Addressees, United States Government Accountability Office, GAO-21-494, July 2021.

²⁶ Eleventh Measuring Fixed Broadband Report, at page 10.

²⁷ Cable Broadband Technology Gigabit Evolution, CableLabs, Fall 2016, at page 16.

²⁸ RDOF Report and Order, at paragraph 32. See also, Auction 904: Rural Digital Opportunity Fund, <https://www.fcc.gov/auction/904/factsheet#technology>.

4. Fixed wireline Internet connections presently offer higher speeds and greater reliability since they are not affected by weather or line-of-sight factors that affect wireless radio transmissions, although deployment of 5G wireless service allows significantly higher speeds.
5. "Fixed broadband services... tend to offer higher speeds with greater reliability and higher usage allowances than mobile services, which can make fixed broadband services more suitable for, among other things, large file transfers, long-form video, desktop schoolwork, and sharing the same connection with multiple devices and users within the same home."
6. Fiber optic Internet access is considered to support the highest speeds and reliability, as compared to satellite, fixed wireless and cable modem hybrid fiber/coax.
7. The higher costs associated with connecting fiber optic cable to each premise have limited unsubsidized deployments to urban and suburban areas which are more densely populated.
8. Cable internet is more widely accessible than fiber optic Internet.
9. Fixed wireless provides advantages where terrain, distance, or low density preclude placement of fiber optic or other wired technology. Fixed wireless is deployed in Florida serving previously unserved areas, for example in Hardee County.
10. Fixed wireless and satellite services require the installation of properly located external fixed receivers or antennas/satellite dish.
11. Wireless Mobile speeds vary even over small local areas.
12. 4G and 5G wireless services rely on the landline network to connect towers and antennas. These connections increasingly use fiber optic cable. Also, Wi-Fi coverage is supported by a fixed broadband connection. Similarly, Starlink relies on Google's private fiber-optic network for connections.²⁹
13. Speeds can decrease significantly with increased usage of shared facilities/capacity due to contention for capacity (network congestion). Examples include when many users contend for wireless capacity at a sporting or entertainment event, or in the evening when many cable Internet users contend for capacity for streaming video applications such as Netflix.
14. The FCC is optimistic that "increased deployment of 5G may allow mobile services to serve as an alternative to fixed services."³⁰ The FCC is expanding access to the spectrum to facilitate broadband deployment in the future.³¹ "The Commission has made available significant amounts of spectrum in the low-, mid-, and high-frequency bands for mobile providers to develop and deploy new technologies like 5G and to support existing 4G LTE networks."

²⁹ Google wins cloud deal from Elon Musk's SpaceX for Starlink Internet connectivity, by Jordan Novet, CNBC. May 13, 2021.

³⁰ Fourteenth Broadband Deployment Report, at page 6. However, the FCC has not concluded that "consumers will treat mobile 5G as a substitute for fixed services."

³¹ Fourteenth Broadband Deployment Report, at page 4 and page 43, "Access to Spectrum."

15. Wireless providers are beginning to use 5G to provide home internet connections, including T-Mobile 5G Home Internet,³² Verizon's 5G Ultra-Wideband³³ and Starry (various plans). Prices range from \$30 to \$80 per month, and maximum download speeds range from 35 Mbps to 1 Gbps without data caps.³⁴
16. Pricing for some service providers and offerings include data caps or limitations/added costs on data usage. Satellite services, wireless services, and fixed wireless services can include extra charges for data usage above a set level, or slow download speeds at a set level for the rest of the billing period. Data caps for fiber optic and cable internet are less prevalent.
17. Prices for SpaceX's Starlink satellite service have increased. The monthly charge for broadband Internet access increased from \$99 to \$110. The one-time charge for the user installation kit increased from \$499 to \$549.³⁵
18. The scalability and viability of low earth orbit satellites for broadband Internet is not yet proven, and there are other concerns stemming from the volume of satellites to be placed into low earth orbit and their potential impact on astronomy.

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³² <https://www.t-mobile.com/news/offers/t-mobile-launches-5g-home-internet-in-metro-by-t-mobile-stores>

³³ https://www.verizon.com/5g/?kpid=go_cmp-2036930567_adg-78854198304_ad-572787342178_kwd-520668201555_dev-c_ext-_prd-_sig-Cj0KCQjwI7qSBhD-ARIsACvV1X1eYK3UoByrLY4I2WldqR1yUKLiXLFfb-AdezW8IF0mLF3Si5KqgRsaAnpMEALw_wcB&cmp=KNC-C-5GNetwork-NON-R-BPLU-NONE-NONE-2K0VZ0-COE-GAW-3006&gclid=Cj0KCQjwI7qSBhD-ARIsACvV1X1eYK3UoByrLY4I2WldqR1yUKLiXLFfb-AdezW8IF0mLF3Si5KqgRsaAnpMEALw_wcB

³⁴ Could 5G Home Internet Be the Solution to Your Broadband Needs? By Trey Paul, CNET. March 6, 2022. <https://www.cnet.com/home/internet/what-is-5g-home-internet/>

³⁵ Maidenberg, M. (March 25, 2022). Inflation Boosts SpaceX Prices. *The Wall Street Journal*. p. B4.

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Appendix C

Interviews with the Miccosukee and Seminole Tribes of Florida

PURC interviewed Tribal representatives in Florida regarding their broadband Internet needs and plans, talking with both the Seminole Tribe and the Miccosukee Tribe. PURC spoke with Foo Giacobbe, who leads information technology services for the Seminole Tribe. PURC also spoke with Curtis Osceola, who is the Chief of Staff for the Miccosukee Tribe. The interviews are summarized below.

The Seminole Tribe decided two to three years ago that broadband Internet development should be a priority, and launched a broadband Internet development program. In the first phase of the program, the Tribe is establishing towers for expanding cellular service, emphasizing fourth generation (4G) cellular technology known as Long-Term Evolution (LTE). Consultants were engaged for the planning of these towers, and the Tribe is currently in the construction phase. These towers will be available to AT&T, Verizon, and T-Mobile to provide LTE services in the area. The tower expansion includes the construction of fiber optic cabling to connect the towers. Phases two through four of the Tribe's broadband Internet program will include the expansion of dark fiber across Tribal lands and to members' homes, interconnecting all Tribal areas throughout the state, and the development of a Tribe-owned internet and television services provider. These phases could result in the Tribe's network replacing the broadband Internet networks provided by legacy telephone companies in Tribal areas. The Tribe is exploring whether to launch the Tribe-owned provider as a new enterprise or to purchase an existing broadband Internet provider and use it to provide service within the Tribal areas.

PURC's research for the Office of Broadband found that greater proportions of Native Americans in a geographic area are significantly associated with lower broadband Internet availability and less broadband Internet adoption, more so than for any other ethnic or racial group. For the Seminole Tribe, this negative correlation between broadband Internet and the presence of Seminole Tribe members apparently resulted from the Tribe lacking interest in broadband Internet and having a strong interest in maintaining its privacy. The strong interest in privacy remains, but the Tribe believes that broadband Internet should now be a priority. The Seminole also believes that its broadband Internet strategy will continue to protect privacy for the Tribe and its members. Broadband Internet affordability is not an issue for Tribal members.

The Seminole Tribe's primary challenges for deploying broadband Internet are land clearing, bird migration, and endangered species. Network deployment must take into consideration the Tribe's ties to the land and to nature. Once the necessary considerations are addressed, the Seminole Tribe's control of its land enables it to act quickly. The Tribe does not believe that it wants or needs state help at this time as it has its plans in place, is executing these plans, and has the necessary funding. The Seminole Tribe is willing to stay engaged with the state and to engage with other tribes to pass along the lessons it has learned from its broadband Internet program.

The Miccosukee Tribe is in a different situation than the Seminole Tribe. The Miccosukee Tribal leaders only recently determined that broadband Internet should be a priority and have not taken many steps toward broadband Internet expansion. At present, there are fiber optic cables surrounding the reservation, but fiber optics do not have much of a presence on reservation lands.

A primary interest of the Tribe is expanding broadband Internet for educational purposes. Schools have fiber optics. However, students learning from home lack broadband Internet, so there will be a desire to expand home access.

One of the challenges for the Miccosukee Tribe is the lack of a central authority to address barriers to network deployment, such as the need to work around other utility services, primarily water services. Regarding utility services, the Tribe has its own water utility and is installing a new system. Florida Power & Light provides electricity, and its lines are above ground. Comcast has run some fiber optics on the reservation, but most houses that have broadband Internet have DSL service, which is a legacy telephone company technology. Cellular coverage is good on Tribal lands. The Miccosukee Tribe has cellular towers that it leases to AT&T, Verizon, and T-Mobile. There are very few dead zones.

Broadband Internet affordability is not a problem for either Tribe. Also as with the Seminole Tribe, the Miccosukee Tribe's lack of broadband Internet has resulted from a lack of interest among Tribal leaders and members. However, now there is demand for broadband Internet, and the Tribe is ready to move forward. There are some independent camps on the reservation. People in these camps are descendants of Miccosukee people but are not Tribal members. The camps are remote and are likely to need satellite service for broadband Internet. The Miccosukee Tribe is interested in working with the state to develop Broadband Internet development on the Tribe's lands. This would include helping to develop grant applications and facilitating a Local Technology Planning Team.

In summary, while the Seminole Tribe and Miccosukee Tribe are in different situations with respect to broadband Internet development, the difference can reasonably be attributed to timing: The Seminole Tribe established broadband as a priority sooner than did the Miccosukee Tribe, and therefore, is farther along. There may be other reasons for the differences, but those are not obvious from the interviews. The Seminole Tribe wants to continue to work independently of the state. The Miccosukee Tribe is ready and willing to engage with the state to expand broadband Internet on reservation lands.

Appendix D Methodology and List of Interviewees

The Office of Broadband contracted with PURC at the University of Florida to assist with the development of Florida’s Strategic Plan for Broadband. The methodology used to develop this Strategic Plan included interviews with a variety of stakeholders in Florida. In addition, this Strategic Plan is informed by reviews of other states’ broadband Internet plans, pertinent state and federal laws, regulations, funding guidance documents, PURC’s report, *The Status of Broadband in Florida* (2022, February 28), a literature review (Appendix D), information about broadband Internet technologies (Appendix B), and a table on state and federal funding programs (Appendix E).

I. Interviews

Interviews informed much of the strategy development. Interviews with various stakeholder groups included broadband ISPs and individuals who work for or are affiliated with: local governments, local communities and regional economic development organizations, state government agencies, emergency management and internet security entities, other states’ broadband offices, think tanks, consulting groups, foundations, federal agencies, and organizations representing consumer groups. Representatives from the following entities were interviewed:

Industry – Company or Association		
AT&T	Florida Electric Cooperatives Association	Nokia
Charter Communications, Inc.	Florida Internet and Television	T-Mobile
Conexon	FPL (Florida Power and Light)	
Crown Castle	Gainesville Regional Utilities/ GRUCom	

Florida State Government and Associated State Entities		
Enterprise Florida, Inc.	Florida Department of Management Services, Division of Telecommunications	Florida Public Service Commission
Florida Department of Economic Opportunity	Florida Department of State, Division of Library and Innovation Services	Florida Division of Emergency Management

<u>Florida State Government and Associated State Entities</u>		
Florida Department of Education, Division of Public Schools and Division of Technology & Innovation	Florida Department of State, Division of Library and Innovation Services	Heartland Education Consortium
Florida Department of Health, Office of Rural Health	Florida Department of Transportation, Office of Policy and Planning	University of Florida, Institute of Food and Agricultural Sciences

<u>U. S. Government</u>	
Federal Communications Commission	U.S. Department of Treasury
National Telecommunications and Information Administration	

<u>Local Government</u>		
Alachua County Public Schools	Florida Municipal Electric Association	Levy County Library District
Calhoun County	Florida Regional Councils Association	Okeechobee County Commission
Central Florida Regional Planning Council	Florida Small County Coalition	Wakulla County Commission
Florida Association of Counties	Gainesville Regional Authority	Walton County, Clerk of County and County Administration
Florida Rural Electric Cooperative Association	Hardee County, Economic Development Council	City of Winter Haven, Chief Information Officer

<u>Think Tanks, Consultants, and Other Organizations</u>		
The American Association of Retired Persons (AARP)	Boston Consulting Group	Pew Charitable Trusts

American Enterprise Institute	Brookings Institute	VisionFirst Advisors (for Weyerhaeuser)
Benton Institute	Ernst & Young	
Blandin Foundation	KPMG	

State Broadband Offices		
Arizona Commerce Authority	Hawaii Broadband and Digital Equity Office	North Carolina Division of Broadband and Equity, Department of Information Technology
Colorado Office of Information Technology	Illinois Office of Broadband	
Connect ME (Maine)	Minnesota Office of Broadband Development	

Appendix E

Office of Broadband Activities and Outreach

The Office of Broadband has been directed to perform the following duties:

- Create a strategic plan to increase the use of broadband internet service in Florida. The plan must include a process to review and verify public input on the broadband Internet transmission speeds and availability, federal broadband activities, and funding sources.
- Build and facilitate local technology planning teams, especially with community members from the areas of education, healthcare, business, tourism, agriculture, economic development, and local government. The planning teams shall work closely with communities to understand current broadband availability, identify assets for broadband deployment, build partnerships with service providers, identify underserved and unserved residents and businesses, identify funding opportunities, and provide assistance with applying for federal grants for broadband internet service.
- Provide technical and planning assistance to communities.
- Establish the Broadband Opportunity Program to award grants, subject to appropriations, to applicants who seek to expand broadband to unserved areas and apply for federal funds.
- Develop a map of broadband Internet service availability throughout the state consistent with the Federal Communications Commission's (FCC) Digital Opportunity Data Collection program. The map must identify where broadband-capable networks exist, service is available to end users, gaps in rural areas, and download and upload transmission speeds. DEO must receive and verify public input to identify locations in which broadband internet service is not available, including locations with transmission speeds below FCC standard of 25 megabits per second downstream and 3 megabits per second upstream. The map must be completed by June 30, 2022.
- Encourage public use of Internet service through broadband grant programs.
- Monitor, participate in, and provide input on FCC proceedings that are related to the geographic availability and deployment of broadband internet in Florida.
- Act as a repository for the attachment of broadband facilities to municipal electric utility poles.

The Office of Broadband is preparing for federal funding opportunities with the following in mind:

- Following the Governor's priorities, building the state workforce, transportation, and housing sectors will involve building out the broadband infrastructure throughout the state, specifically in unserved and underserved communities.
- Ensuring each of the funding programs, the Broadband Opportunity Program, the Capital Projects Fund, and the Infrastructure Investment and Jobs Act, provide the end user with access to minimum scalable speeds of 100mbps download and 10mbps upload.
- Connecting un/underserved areas and communities with these speeds will be an important driver for future economic development, workforce growth and stability, education, healthcare points of access, and housing opportunities for all residents and businesses in the area.

DEO Local Technology Planning Teams:

- Rolled out the Local Technology Planning Teams initiative and toolkit. The goal of the statutory initiative is to build out teams involving industry sector leaders in each county to identify locations in which broadband internet is not available, how broadband expansion will impact the community's education, workforce, and telehealth initiatives, and prepare potential broadband expansion projects for the community. The LTPTs are provided with direction on timeframes of the meetings, identifying participants from the areas of education, healthcare points of access, housing, business, tourism, agriculture, economic development, and local government. The planning teams work closely with rural communities in their county to better understand current broadband availability, identify assets for broadband deployment, build partnerships with service providers, identify underserved and unserved residents and businesses, identify funding opportunities, and provide assistance with applying for federal grants for broadband internet service. As of June 1, all 67 counties have identified leaders, and 27 counties have established teams, with 21 teams actively meeting. There is also one active regional team consisting of four counties. The Office of Broadband hosts a monthly call with all counties to discuss status of the meetings, answer questions, and share best practices. The culmination of this effort will be diverse community industry sectors working together to develop measurable goals, objectives, and benchmarks that will keep Florida's broadband adoption and expansion efforts on track at every level of government in subsequent years.

Outreach to National Partners:

- Reached out to NTIA for information on mapping projects in other states.
- Participate in the NTIA's State Broadband Leaders Network meetings and summits.
- Reached out to other state broadband offices in search of best practices pertaining to grant programs and mapping data.
- Partnered with the United States Department of Treasury on the Capital Projects Funding.
- Partnered with The Pew Charitable Trusts' broadband education and training initiative (BETI).
- Continual review of FCC meeting agendas for broadband topics.
- Spoke with SpaceX regarding its broadband expansion plans.
- Corresponded with U.S. Congressman Darren Soto, who serves on the subcommittee for Communications and Technology, regarding Office of Broadband funding applications.

Outreach to State Partners:

- Hosted a call with state agencies to discuss upcoming opportunities related to broadband Internet expansion and collaboration with other broadband related programs.
- Spoke with the Seminole and Miccosukee Tribes of Florida on potential funding opportunities for broadband expansion.
- Spoke with Florida Department of Management Services (DMS) on E-Rate and other broadband related programs.
- Met with Small Counties Coalition and the Florida Association of Counties to discuss Office of Broadband initiatives, partnering, and planning.
- Spoke with Florida Department of Education on the Career, Technical, and Adult Education program for potential partnership opportunities with the Florida Office of Broadband.

- Spoke with the Florida Municipal Broadband Alliance on directives of the Florida Office of Broadband and upcoming partnership opportunities.
- Spoke with statewide Internet Service Providers (ISP) regarding their partnership with the Florida Office of Broadband.
- Spoke with the Office of Rural Health at DOH regarding partnerships.
- Met with the Allapattah Collaborative about broadband expansion in the South Florida neighborhood.
- Met with the Communications Workers of America to discuss their union efforts.
- Met with the Florida League of Cities to discuss future partnerships.
- Spoke with the Department of State, Division of Libraries, on future partnerships and needs.

Conversations with Management Consultants and Service Providers:

- Spoke with various management consultants and Internet service providers around the nation on broadband best practices, grant program considerations, strategic planning discussions, and mapping insights.

DEO Website:

- Posted the Faster Florida Broadband Availability Map and link to speed test.
- Posted information on the Local Technology Planning Teams and the Broadband Planning Toolkit.
- Continuously update the website with federal and state funding opportunities.
- Posted a survey on broadband accessibility for public input and inclusion in the Florida Strategic Plan for Broadband.
- Provided sign-up option for interested parties to receive communications from the Office of Broadband.

DEO Broadband Workshops, Survey and Florida Strategic Plan for Broadband:

- Partnered with the Florida Regional Councils Association to host and facilitate ten regional workshops with industry sector leaders and statewide partners in February 2021. The information gathered from these workshops continues to help design state programs and resources for broadband adoption, deployment, expansion, and resiliency, as well as provide guidance for the Florida Strategic Plan for Broadband.
- Conducted a statewide survey on the availability and accessibility of broadband Internet in March 2021 to collect input from the public. Responses continue to help the office identify the status of broadband Internet and understand how the public defines broadband expansion in communities across the state.
- Received a Department of Commerce, Economic Development Administration (EDA), grant for \$1,000,000. The grant allowed the Office to partner with the University of Florida Public Utilities Research Center (PURC) to develop a statewide broadband study and Florida Strategic Plan for Broadband, due to the Governor and Florida Legislature on June 30, 2022. PURC developed both the Status of Broadband in Florida study and the Florida Strategic Plan for Broadband.

DEO Broadband Availability and Speed Test Map:

- The Office contracted with GEO Partners, LLC, to develop the Florida Broadband Availability and Speed Test Map to show broadband Internet service availability throughout the state. This is a geospatial map that identifies where broadband capable networks exist, where service is available to end users, gaps in rural areas, and download and upload transmission speeds.
- The Office also contracted with Strategic Digital Services (SDS) on a statewide “Faster Florida Broadband” marketing campaign to encourage citizens and businesses to take a speed test. These speed tests provide valuable public feedback on Internet availability and speed in locations throughout Florida, helping the Office identify unserved and underserved locations around the state. This marketing campaign compliments and supports the data provided in the GEO Partners, LLC, map.

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Appendix F

Literature Review

This literature review is designed to offer insight into programs that have been empirically analyzed and that address federal, state, local, and private initiatives to increase broadband Internet access and adoption rates. The following sections provide results of various supply-side and demand-side programs that have been studied.

I. Access Studies

- **Subsidies to encourage broadband Internet provision** have not been shown to increase access or adoption. Studies are limited; one study found either no relationship or a negative relationship between high-cost support, cable speeds, and availability.
- Empirical studies of **programs to eliminate barriers to provider entry** (i.e., supply-side barriers) are sparse; however, it has been shown that state-level policies are ineffective (universal service programs targeted at underserved areas do not boost penetration). Guaranteed rights of way by ISPs is strongly correlated with increased penetration, as are some forms of unbundling regulations. A positive correlation has also been found between diffusion and the presence of a broadband Internet office at the state level and state-level funding.
- **Facilities-based competition** has been shown to be more successful than service-based competition in improving access, quality, and speed and decreasing price.
- **Municipal broadband Internet provision** has been shown to be financially unsuccessful, therefore, generally non-viable.
- With respect to **public-private partnerships**, we found no statistical studies of public-private partnerships employed to promote broadband Internet diffusion or adoption, although several case studies concluded that, while programs had success with respect to broadband Internet deployment, adoption goals were not met.
- The **E-Rate program** has not been shown to affect academic outcomes or have any bearing on spurring provider competition in broadband Internet markets.
- **Public Computing Centers** were not found to have any effect on home broadband Internet adoption, economic outcomes, or academic achievement.

II. Adoption Studies

- Studies of programs addressing **price as a barrier to adoption** generally have been based on survey respondents rather than empirical analysis; we did not find any recent empirical

studies that determine price to be a significant barrier to adoption for most unconnected households.

- Studies of programs addressing **lack of computer ownership** have concluded that providing computers (or subsidized computers) does not increase broadband Internet adoption; however, one study shows that specific groups were more likely to be adopters of mobile-only Internet access. While we did not find empirical evidence on the success of such programs, they appear to have the possibility of successfully increasing adoption rates.
- Empirical analyses of **digital literacy** programs are sparse. Limited results show that prior experience with the Internet directly promoted broadband Internet adoption and that libraries and other community organizations may compensate for shortages in digital skills that otherwise act as barriers to adoption. Studies conclude that precursors of broadband Internet adoption are individuals' perceived benefits of the Internet, the ability to acquire those benefits, and a perception of value in using the Internet.
- While there exist numerous studies that describe characteristics of non-adopters, few offer evidence as to why various groups do not adopt.

III. Rural Access and Adoption Studies

- The Federal Rural Health Care Program was shown to have a positive impact in stimulating entry of broadband ISPs into rural areas. A key finding was that if rural broadband Internet availability were to increase to 100 percent, the adoption rate would increase by 6.12 percent. A cost benefit analysis would need to be undertaken to determine if this goal is optimal.

IV. Regulatory Framework Studies

- The most significant positive effect on quality and quality improvements results from competition. Studies show evidence that regulatory interventions, such as unbundling or open access provision, positively impacted markets with limited competition. Stricter regulation negatively impacted infrastructure investment by entrants but had no effect on investments by incumbent providers.

V. Missing in the literature

- Cost-benefit analyses
- Goals of programs being evaluated
- Rigorous empirical analyses
- Understanding of data necessary for any evaluation (state of affairs or program)
- Use of appropriate statistical methods

By seeking data from and results of various programs and policies, this review should prove useful to those responsible for implementing Florida's Strategic Plan for Broadband.

VI. Programs to Increase Broadband Access

A. Subsidies for Provision

Chaudhuri and Flamm (2005) concluded that high levels of inter- and intra-modal competition already effectively impose price discipline and that price subsidies arguably may promote Internet penetration at the household level, but would most likely be both redundant and extravagant. Currently, the U.S. government is spending \$42.45 billion for the BEAD program, which offers ISPs subsidies to locate in unserved and underserved areas; most of this funding is to go to the states for their own projects.¹ There have been no studies (to our knowledge) of the potential impact of this program.

Among programs to subsidize provision is the CAF, established in 2012. CAF focused on providing funding for price cap carriers to begin broadband Internet buildout.² The program was established by the FCC and funded by the Universal Service Fund (USF).³

Phase I had a budget of \$4.5 billion over six years. All existing high-cost support to price cap carriers were frozen, and an additional \$300 million in CAF funding was made available. The prior (now frozen) support was then subject to the goal of achieving universal availability of voice and broadband, and subject to obligations to build and operate broadband Internet -capable networks in unserved areas. Phase II of the program included a budget of \$1.98 billion over 10 years. Deployment was to be complete by end of 2020.

On September 15, 2015, the FCC authorized 10 telecommunications carriers to receive \$9 billion in support for rural broadband Internet development. These awards are referenced on government websites and reports, but there is no indication of which 10 carriers received the money.

An empirical evaluation of High-Cost Support Programs (Skorup & Kotrous, 2020) attempted to determine their effectiveness in increasing broadband Internet availability and improving service quality. The data includes active programs in the 48 continuous U.S. states between 2014 and 2017. The authors observe fund disbursements to each of the four subprograms: the Connect America Fund, Alternative Connect America Model,⁴ Connect American Fund Broadband Loop Support,⁵ and

¹ See Benton Institute for Broadband & Society.

² Price cap carriers are large telephone companies that are subject to FCC rate regulation that is in the form of price caps rather than rate of return regulation.

³ See the FCC *Connect American Fund*.

⁴ Established in 2016 by the Rate-of-Return Reform Order, the model provides funding to rate-of-return carriers that elect to transition to a new cost model for calculating high-cost support in exchange for meeting defined broadband build-out obligations. See Universal Service Administration, *ACAM*.

⁵ The CAF-BLS provides funding to smaller phone companies to build broadband to a specific number of fixed locations in eligible areas. See Universal Service Administration *Instructions for Completing Connect American Fund-Broadband Loop Support Mechanism*.

Rural Broadband Experiments.⁶ They state, “with the exception of the Rural Broadband Experiments, we find that High-Cost Support has no relationship or is negatively related with cable speeds and availability.”⁷ The authors note that there are “inexplicably” large disparities in subsidies granted across the states. For example, “in 2018, rural providers in Alaska received over \$2,000 in High-Cost Support per rural household in the state. In contrast, by way of example, Texas has the most rural households in the country, and 2018 subsidies amounted to about \$211 per rural household.”⁸

With respect to the cost of subsidies estimated to be required to connect remaining households to broadband Internet, de Sa (2017) predicted that connecting the remaining percent of unconnected U.S. households to fiber would require \$40 billion in initial public funding, and \$2 billion annually to support ISPs’ operational costs.

B. Barriers to Provider Entry

Barriers to entry protect incumbent firms and inhibit new entry into a market. Barriers to entry exist in many industries, in particular those characterized by high fixed costs of entry due to infrastructure costs, licensing and permit requirements, and regulatory rules, among others. A classification of entry barriers not specific to broadband Internet is provided by McAfee et al. (2004).⁹ In Table 1 below, economic barriers are differentiated from antitrust barriers; however, each is able to negatively impact a competitive market. An economic barrier is a fixed cost that must be incurred by an entrant to participate in the market, and that benefits incumbent firms. By contrast, an antitrust barrier is a cost that delays entry, and therefore, reduces social welfare relative to immediate entry but does not necessarily benefit the incumbent. A primary barrier constitutes the barrier to entry on its own. An ancillary barrier is a cost that does not constitute a barrier to entry on its own but reinforces other existing barriers. Structural barriers come from basic industry characteristics that relate to the structure of the market (for example with respect to broadband Internet infrastructure costs). Strategic barriers are essentially strategic entry deterrence actions taken by an incumbent firm, for example, loyalty programs that include customer discounts to maintain a company’s customer base and market share.

⁶ In 2014 the FCC established a \$100 million budget for the rural broadband experiments fund. The goal of the program is to provide funding for experiments in price-cap areas to bring broadband networks to residential and small business locations in rural communities. See the FCC’s *Rural Broadband Experiments*.

⁷ The cable speeds were broadband speeds offered by traditional cable television companies. Likewise, availability is the availability of broadband by these companies (Skorup & Kotrous, p. 33).

⁸ Skorup and Kotrous, p. 7.

⁹ Park and Taylor, p. 8.

Table 1*Classification of Entry Barriers*

		Economic barriers to entry		Antitrust barriers to entry	
		Standalone	Ancillary	Standalone	Ancillary
Structural barriers to entry	Economies of scale				○
	Switching costs			○	
	Brand loyalty	○		○	
	Capital costs				○
	Absolute cost advantages	○		○	
	Informational advantages				○
	Organizational advantages		○		○
	Asset specificity		○	○	
Strategic barriers to entry	Intense advertising			○	
	Contracts to block distribution			○	
	Excess capacity		○	○	
	Price discrimination	○		○	
	Leave-only marketing		○	○	
	Tying	○		○	
	Collective product proliferation				○
	Lobbying to raise entrant's cost	○		○	
	Exclusive patent cross-licensing		○	○	

Note. From McAfee et al. (2004).

Two statistical studies of factors affecting entry, and therefore broadband Internet diffusion, are from Prieger (2003) and Clements and Abramowitz (2006). Prieger (2003) estimated a model in which broadband Internet deployment is a function of various independent variables, including demographic composition, commuting and business patterns, market size, cost factors, and competition. He finds that larger markets, greater competition, and long commutes are associated with broadband Internet deployment.

Clements and Abramowitz (2006) found that population, income, and education level in an area, as well as cost-related factors, influence broadband Internet diffusion.

Empirical studies of programs to alleviate supply-side barriers to entry are sparse; however, Wallsten (2005) provided one such early investigation in which he examines government policies to improve broadband Internet availability, including streamlining rights-of-way laws, unbundling regulations, subsidies, and municipal provision. He finds that most state-level policies are ineffective: universal service programs targeted at underserved areas do not boost penetration and may even slow it by giving an artificial advantage to a given provider. Tax incentives appear to have no impact. However, guaranteed access to rights-of-way by broadband Internet providers is strongly correlated with increased penetration, and unbundling regulations affect diffusion in mixed ways as unbundled network element (UNE) lines are negatively correlated with penetration,¹⁰ while resale of telephone lines by CLECs increased penetration.

¹⁰ A UNE is a part of a telecommunications network that is required by the Telecommunications Act of 1996 to be offered to other providers to avoid duplicate infrastructure.

A more recent study by Whitacre and Gallardo (2020) used a county-level panel dataset, from 2012 to 2018, to analyze the impact of the availability of state-level funding, the existence of a state-level broadband Internet office, and the existence of restrictions on municipal broadband Internet provision on broadband diffusion. They find a small positive effect on broadband Internet diffusion from state-level funding and the presence of a broadband Internet office, and a negative impact of restrictions on municipal provision. For example, for a county with an average rural broadband Internet availability rate of 71.5 percent in 2018, the presence of a state-level funding program would be expected to raise availability to 73.3 percent; removing municipal broadband Internet restrictions would result in a similar small increase.¹¹

C. Promoting Facilities-Based Competition (versus Service-Based competition)

The term facilities-based (or infrastructure-based, or inter-platform) competition is used in the telecommunications industry to describe **competition between providers of the same or similar services** where the service is delivered by different or proprietary means or network. By contrast, service-based (or intra-platform) competition refers to when new entrants compete with incumbents by leasing facilities such as local access networks from incumbents. In an effort to increase broadband Internet diffusion, some countries have instituted various policies supporting one form of competition over the other. The European Union has tended to promote service-based competition, while facilities-based competition has been supported in the U.S.¹²

Gruber and Denni (2005) and Denni and Gruber (2007) studied the extent to which inter- and intra-platform competition facilitate broadband Internet diffusion. Using empirical evidence from the FCC and the Bureau of Economic Analysis from 1999 to 2004, they find that with intra-platform competition on cable TV platforms, initially competition had a positive impact on speed of broadband Internet diffusion, but this effect decreased over time. For intra-competition over DSL lines, initial telecommunication density was positively correlated with increased diffusion; however, the diffusion speed was negatively impacted. Inter-platform competition was shown to have a strong positive impact on diffusion speed. In states with inter-platform competition, initial availability was low but in the longer-term infrastructure competition was shown to be conducive to driving penetration.

Distaso et al. (2006) examined inter- and intra-platform competition on broadband Internet diffusion. His data represented 14 European countries; among those countries, he found that only inter-platform competition facilitated broadband Internet adoption. More recent work by Yoo (2014) compared service-based competition with facilities-based competition. Yoo used statistics and case studies to identify the best policies for increasing the deployment of high-speed broadband Internet by questioning the claim that the European model of service-based competition had outperformed the facilities-based competition underlying the U.S. approach. Using data on cable coverage and DSL provision by new entrants along with country-specific demographic data, he found that facilities-based competition had a statistically significant positive effect, while service-based competition had a statistically significant negative impact on next generation network (25 Mbps) coverage. There also was disparity between the speeds advertised

¹¹ Whitacre and Gallardo, p. 25.

¹² The European Union's competition policy is summarized in European Parliament (2021); the information includes competition policy tools, enforcement, and the role of the European Parliament.

and delivered by broadband Internet providers in the U.S. and Europe. During peak hours, U.S. actual download speeds were 96 percent of advertised speeds, compared to Europe where consumers received 74 percent of advertised download speeds. With respect to upload speeds, data indicated U.S. providers offered actual upload speeds that averaged 107 percent of advertised speeds, while European ISPs provided 88 percent of their advertised speeds.

With respect to price associated with the contrasting competition policies, data show that U.S. broadband Internet prices were lower than European prices for all service tiers up to 12 Mbps. For speeds greater than 30 Mbps U.S. prices were significantly higher (Yoo notes that the average U.S. user consumes 50 percent more capacity than the average European user, which likely is reflected in the pricing and coincides with the difference in monthly household bandwidth usage (60 GB in the U.S. vs. 40 GB in Western Europe).¹³

To determine which form of competition may better support investments in broadband Internet upgrades, Yoo included case studies of eight European countries (Denmark, France, Germany, Italy, the Netherlands, Spain, Sweden, and the United Kingdom). He again found facilities-based competition to be more effective and adds that countries that emphasized use of differing technologies achieved higher coverage rates than those relying on Fiber to the Premises (FTTP).¹⁴

Bauer and Tsai (2014) conducted a similar study that assessed the quality of broadband Internet access given various forms of market competition. They used data from Ookla (Ookla assesses Internet and network performance around the world) and Akamai (a content delivery network as well as providing Internet security) to empirically analyze the degree to which public policy decisions impacted quality and quality upgrades. Their research found that competition was the most important positive factor in providing quality. With respect to the form of competition, the authors found that broadband Internet penetration increased more strongly with the intensity of facilities-based competition than with intra-platform competition.

Prieger et al. (2014) offered increased detail regarding competition in the broadband Internet market. The authors conducted an empirical analysis of quality competition among broadband ISPs. They used the National Broadband Map data for California for 2011 through 2013 to examine how incumbent firms responded to competition from competitive local exchange carriers (CLECs) and cable modem providers. They observed that incumbent providers improved their ADSL¹⁵ quality when faced with a cable entrant and when cable operators offer increased speeds; however, incumbent providers did not raise their quality when CLECs competed via ADSL—they did when CLECs deployed fiber.

D. Municipal Provision

Municipal broadband Internet provision is broadband Internet access provided by local governments. Those supporting the municipal provision assert that quality and price are better for customers when provided by their cities rather than ISPs, and that in the absence of such provision,

¹³ Yoo (2014), p. 21.

¹⁴ Yoo (2014), p. 51.

¹⁵ ADSL is the abbreviation for asymmetric (or asynchronous) digital subscriber line, which is a method of routing digital data over copper telephone wires to allow both broadband Internet and voice communication simultaneously.

some households will not have any service options. Opponents contend that public entities are poorly equipped to maintain commercial broadband Internet networks and that government entry into the private sector constitutes unfair competition for the private sector providers.

To address these competing views, Hauge et al. (2008) examined the effect of municipal telecom provision on the presence of competitive local exchange carriers (CLECs) that formed to compete with incumbents. They conducted a nationwide empirical study of 51,148 cities with CLECs and/or municipal telecom providers and found that municipal providers tended to serve markets that CLECs did not. They also discovered that the presence of a municipal provider in a market did not affect the probability that a CLEC also served that market if there were multiple CLECs. In smaller markets that could support only one competitor to the incumbent, the presence of a municipal supplier decreased the probability of having a privately-owned competitor. A subsequent work by Hauge et al. (2009) confirmed the prior result and showed that the effect of municipal competition on private provision was largely concentrated on the first entrant. This suggests that municipalities initially entered telecommunications markets with demand too low to support competition from commercial providers.¹⁶ While useful for understanding what may drive entry, these papers only address the impact of municipal provision on privately-owned competitors; they do not address factors that may make municipal provision successful.

More recently, Yoo and Pfenninger (2017) conducted an empirical study including every municipal fiber project in the U.S. Of the 88 municipal fiber projects, 20 reported the financial results of their broadband Internet operations separately from the financial results of their electric power operations. The authors used data from these 20 municipal fiber providers over the period from 2010 to 2014 and ascertained that 11 of the 20 generated negative cash flow. Of the nine projects that were cash-flow positive, seven would require more than 60 years to break even. Only two generated sufficient cash to be on track to pay off the debt incurred within the estimated useful life of a broadband Internet network, which is typically projected to be 30 to 40 years. The authors noted, “To date, assessments of municipal fiber programs...have been long on rhetoric and anecdotes and short on systematic empirical analysis.”¹⁷

In 2022, Yoo et al. followed the 2017 work, and utilized municipalities’ official reports to empirically analyze the financial performance of every municipal fiber project in the U.S. operating in 2010 through 2019. They found that none of the projects generated sufficient nominal cash flow to remain financially viable without additional funding or debt relief, and 87 percent had not generated sufficient nominal cash flow to achieve long-run solvency. 73 percent generated negative nominal cash flow over the prior three fiscal years. The authors stated that analysis of the projects’ performance revealed that revenue generation likely plays a more important role in generating cash flow than efficiency in construction costs or operating efficiency.

Municipal Wi-Fi Provision

A subset of research on municipal provision focuses on such provision of Wi-Fi networks (see Gillett et al., 2004; Infante et al., 2007; Middleton, 2007; Potter & Clement, 2007; Shaffer, 2017). Wi-Fi

¹⁶ This is consistent with Yoo and Pfenninger (2017) and Yoo et al. (2022), which found that municipal providers were rarely commercially viable, implying that they often constitute subsidized provision of broadband.

¹⁷ Yoo and Pfenninger, p. 2.

networks do not require an FCC license for the radio spectrum they use; Wi-Fi providers need not pay the government for the use of the airspace. For this reason, some municipalities are turning to this option for broadband Internet provision to households in their areas; however, statistical analysis of the effectiveness of such programs is sparse. For example, the Detroit Community Technology Project¹⁸, the Personal Telco Project in Portland, Oregon¹⁹, and NYC Mesh in New York City²⁰ each have been operational for over five years, yet no statistical analyses have been undertaken to determine their level of success in terms of adoption or achieved outcomes from the supply of such networks.

E. Public-Private Partnerships

Public-private partnerships typically involve private capital financing of government projects. The private companies then earn profits over the course of the partnership contract. Such partnerships primarily are used for infrastructure projects that require significant initial investment that a municipality is unable to amass. No statistical studies of public-private partnerships to promote broadband Internet diffusion or adoption were found, although several case studies exist.

Gerli and Whalley (2018) focused on two projects deploying fixed broadband Internet networks in rural U.K.: Broadband for the Rural North and Connecting Cumbria. The former is a cooperative fiber-to-the-home network financed and built by residents in northwest England. As of 2022, Broadband for the Rural North remains in operation with a network of dark fiber cable and apparently successful connections (Broadband for the Rural North, n.d.), however, Gerli and Whalley (2018) offered no statistics on the program's performance.²¹ The latter project is a public-private partnership between British Telecom and Cumbria County Council to provide fiber in unserved areas. Despite achieving the set deployment goals, Connecting Cumbria frustrated rural communities who were unsatisfied with the speed or unable to access fast broadband Internet.

Gerli and Whalley (2020) followed up their 2018 study with an examination of private design-build-own (DBO) initiatives, where the public entity subsidizes the provision of infrastructure that is designed, built, managed and owned by the private partner. Using case study data, they found that the private DBOs achieved and sometimes exceeded their targets (programmatic success) but failed to engage with their stakeholders and lacked support at a local level (process deficiency).

A similar study was conducted by Fortunato et al. (2012), who analyzed municipal and public-private partnerships in Maine, Pennsylvania, and Wisconsin to determine community-level factors that either encouraged or inhibited local broadband Internet network development in persistently underserved communities. They acquired evidence suggesting that local organizing for high-speed broadband Internet access is similar to other community development problems unrelated to technology. Although the authors have data from the U.S. Census American Community Survey (ACS) (2010) and the Bureau of Economic Analysis Regional Municipal P3 Maine Hermon Washington County Pennsylvania Kutztown Cambria County Wisconsin Reedsburg Kenosha County

¹⁸ See the Detroit Community Technology Project.

¹⁹ See the Personal Telco Project.

²⁰ See NYC Mesh.

²¹ Dark fiber cable refers to excess capacity of unused fiber-optic cable that has been laid by a company but is not needed. It then can be leased to other companies to establish connections among their own locations.

Economic Information System (REIS) Regional Profiles (2010) (including population growth, migration patterns, income and education levels, and the mix of industries found in the area), no statistical analysis was pursued.

F. E-Rate Program (established in 1996)

E-Rate is a U.S. federal funding program administered by the Universal Service Administrative Company (USAC) under the direction of the FCC. The program provides discounts for telecommunications, Internet access, and internal networking costs for schools and libraries. Services include voice, data, video, and wireless services, as well as Internet access and the cost of installing and maintaining network infrastructure. The primary goal of the E-rate program is to promote equity across urban and rural areas, high and lower-income areas, and served and underserved areas by providing discounts of 20 percent to 90 percent of the cost of relevant connection services (not for computers or other devices that would then be connected). The discount offered is based on the poverty level of the school as given by the percentage of area students eligible for subsidized lunches, so that schools with more students from disadvantaged households receive higher discounts. [Rural schools and libraries also may receive a higher discount.]²²

The program is comprised of two categories. The first includes discounts for telecommunications services, such as wired and wireless data links and ISP connections. These funds are to bring Internet access to the school or library. The second category includes costs associated with internal wiring necessary to distribute connections to classrooms and other facilities within the school or library and includes wireless local area network services such as Wi-Fi.

To receive E-Rate funding, an eligible school or library must submit to the USAC a request for competitive bids for providing telecommunications and Internet goods or services. The USAC posts the requests for vendors to bid to provide the service. The school or library chooses the vendor it prefers, and then applies to the USAC for approval to commission that provider. A school can apply to the USAC by itself or as part of a district. If the latter, the discount rate is calculated as a weighted average of the schools listed on the application.

In 2014, the FCC's Second E-Rate Modernization Order increased the funding cap for the program to \$3.9 billion, indexed to inflation going forward (the cap in 2021 was \$4.276 billion).

Several studies address the successfulness of the E-rate program in various states. An early study by Ward (2005) found that program subsidies did not have any effect on academic outcomes of students in schools awarded E-rate discounts. Similarly, Goolsbee and Guryan (2006) concluded, "Using a variety of test score results, however, we do not find significant effects of the E-Rate program, at least so far, on student performance."²³ Their program evaluation (limited to schools in California) used detailed data on public schools including students' achievement test scores and the demographics of their communities. The authors found that the program subsidies did lead schools to spend more on telecommunications technology; however, test scores in math, reading and science showed no evidence of any effect on academic outcomes.

²² See the FCC *E-Rate Program*.

²³ Goolsbee and Guryan, p. 336.

More recently, Hazlett et al. (2016) conducted an empirical study using data from 374 North Carolina public high schools from 2000 to 2013, and found no improvement in student test results associated with E-rate subsidies. In fact, they found that a 1 percent increase in E-Rate spending per student in the district decreased the average math score for a school. The authors also used SAT scores to gauge educational improvement and found that increasing the amount of E-Rate funding that schools received had no impact on SAT scores. Lastly, they calculated how E-rate funding affected the ratio of students per Internet-connected computer since subsidies pay a percentage of the school's computer and Internet expenditures and found that decreasing the number of computers connected to the Internet would improve math scores.

Hazlett et al. (2016) stated the following:

The disappointment in the lack of a return is intensified by two additional reasons. First, the subsidies are the result of 18.2 percent tax on certain telephone charges. In addition to the economic distortion created by the tax, this tax is worse than most due to its regressive nature—everyone pays the same percentage regardless of their means. Given that our results show that increasing E-Rate funding has no impact on SAT scores, it seems logical that the money could be better spent on other educational reforms that might improve student performance...as there is no evidence that E-Rate spending improves any performance measure for students. (p. 14)²⁴

In a complementary magazine article, Hazlett (2016) noted that the Department of Education found that 98 percent of schools had broadband and 94 percent of classrooms were wired for high-speed connections by 2008 so that the goal of bringing Internet to schools was completed long ago.

E-Rate's effectiveness in increasing broadband Internet diffusion by spurring competition also was analyzed. Flamm (2015) used U.S. zip-code level data to examine whether the program had an identifiable and statistically significant impact on broadband Internet competition over the period of 2005-2008. He compared E-rate outcomes with outcomes from the smaller and more targeted Universal Service Fund's Rural Health Center program and found that the more highly-focused USF funding has had a statistically and economically significant impact on numbers of local broadband Internet service providers, while the E-Rate program generally did not in most areas. The latter was found to have no bearing on the number of competitors in most of the areas in which fund recipients were located and a slightly negative and statistically significant effect on broadband Internet provision in the majority of zip codes. In only the indigent or most rural areas was there any evidence that the E-Rate program had a statistically significant impact in stimulating greater competition in broadband Internet service provision, and when found, it was small.

G. Public Computing Centers

Public computer centers (PCCs) to improve broadband Internet supply was promoted first with the American Recovery and Reinvestment Act of 2009 (ARRA).²⁵ This Act mandated the National Broadband Plan, the goal of which was to ensure all Americans have access to broadband Internet.

²⁴ Haslett et al., p. 14.

²⁵ See the FCC's *American Recovery and Reinvestment Act of 2009*.

Broadband Internet provisions in the plan amounted to \$7.2 billion primarily for broadband Internet grant programs. The funds were distributed through two separate and partially overlapping programs—the Broadband Initiatives Program (BIP), administered by the Rural Utilities Service (RUS), and the Broadband Technology Opportunities Program (BTOP), run by the NTIA.²⁶ The ARRA provided \$2.5 billion for BIP and \$4.7 billion for BTOP, with the goals of construction and deployment of broadband Internet infrastructure to improve access and adoption, particularly in rural and lower-income areas.

Empirical results of studying all BTOP programs show little evidence of success in terms of economic outcomes, academic achievement, or household adoption resulting from funded grant programs (Beard et al., 2020; Hauge & Prieger, 2015).

BTOP grants included three types of projects: infrastructure in unserved and underserved areas, enhanced broadband Internet capacity at PCCs, and promoting sustainable broadband Internet adoption. \$50 million was allocated for PCC grants. The stated goal of the BTOP program was to ensure affordable access to at least 1 gigabit per second for schools, hospitals, and government buildings. The expectation was that the recipients would provide digital literacy and job training along with continuing education and entrepreneurship programs. A February 2010 BTOP report stated that \$22.8 million in grants had been awarded to PCC projects as of February 16, 2010.²⁷ While evidence shows that PCCs were established, there are few studies addressing whether those PCCs had any impact on adoption in the community or any other positive benefits for the communities in which they were established.

Chang (2021) used data on PCC grants and public library surveys to examine whether residential broadband Internet adoption rates had increased in counties in which libraries received grants and had successfully increased the number of Internet-connected computers available for use. The data was from 2009 to 2014. Chang found no evidence of increased broadband Internet adoption rates in those counties despite an increased number of Internet-connected computers.

Similarly, Whitacre and Rhinesmith (2015) examined the relationship between library and household broadband Internet adoption rates in rural areas of the U.S. They found that while library access and household adoption rates are correlated, statistical analyses revealed no evidence that counties with libraries that had increased Internet-accessible computers between 2008 and 2012 measurably impacted rates of adoption.

Similar to PCCs are community technology centers (CTCs). CTCNet was established as a national network of over 1,000 CTCs with the goal of providing access to communications services and technology infrastructure in economically disadvantaged areas. In 2006, CTCNet established the Connections for All program, which was formed to help CTCs make their programs and facilities more inviting and accessible to all.²⁸ To our knowledge, there are no studies on the impact of CTCs or the Connections for All program on access or adoption.

²⁶ See the United States Department of Commerce National Telecommunications and Information Administration *BTOP / SBI Archived Grant Program*.

²⁷ See the NTIA's *Quarterly Program Status Report*.

²⁸ See Great Nonprofits. *Community Technology Centers' Network, Inc. (Ctcnet)*.

Recently the American Rescue Plan Act of 2021, funded the Emergency Broadband Connectivity Fund (administered by the USAC). The Act establishes a \$7.17 billion program aimed at helping communities provide infrastructure, materials, and services to schools and libraries for remote learning during the pandemic.²⁹ Schools and libraries could receive Wi-Fi hotspots, modems, routers, and connected devices. To date, while data is available on implementation of the program, we have found no statistical studies analyzing program outcomes.

VII. Programs to Increase Broadband Adoption

A. Programs Addressing Price as a Barrier to Adoption

Price historically has been reported to inhibit household broadband Internet adoption, with some arguing that price is the key barrier to adoption and that prices are prohibitively high due to lack of competition or market power of incumbent providers. Broadband Internet prices are difficult to study as different performance tiers, options, and availability of bundles significantly affect advertised prices, and it is equally (if not more) difficult to determine a household's willingness to pay for a service they have not yet obtained. That said, there do exist numerous reports that reference survey respondents' assertions that price bars them from connecting. Prieger and Hu (2008) generated estimates of income elasticity of demand for DSL broadband Internet and found that demand increased with household income; however, their study lacks data from cable modem service and the data is from early years of broadband Internet development.

In May 2021, the FCC opened enrollment in its Emergency Broadband Benefit Program offering up to \$50 per month in broadband Internet subsidies for low-income U.S. households or for those who lost income during the pandemic.³⁰ Over 825 ISPs are participating in providing service, with the full list of available ISPs in each state showing that subsidies should be available in most areas that currently have home Internet access. The FCC stated that the program would continue until the \$3.2 billion in federal funding was exhausted, or six months after the Department of Health and Human Services declares the pandemic over. The program also allows eligible households to apply for a one-time discount of up to \$100 to purchase a computer for Internet access. In November 2021, the IIJA became law.³¹ This Act provides \$14.2 billion to extend the Emergency Broadband Benefit Program to a longer-term program called the Affordable Connectivity Program. These policies and the stated intent behind them reinforce the perception that households would adopt, but for the price of doing so. There is no evidence, however, that this perception is accurate as no empirical studies have been published that demonstrate change in adoption based on loss of income due to the pandemic.

While there appear to be no definitive international broadband Internet pricing studies, sources rank U.S. broadband pricing equivalent to that in peer countries. In its *Measuring Digital Development* report, the International Telecommunication Union (ITU) ranked the U.S. as tied for

²⁹ See the FCC's *Emergency Connectivity Fund*.

³⁰ The Affordable Connectivity Program replaced the Emergency Broadband Benefit Program on December 31, 2021. Information on the latter program and the changes instituted upon enactment of the former are available at <https://www.fcc.gov/broadbandbenefit>

³¹ Public Law 117-58, November 15, 2021. 135 STAT. 429. See the United States Department of Energy, Alternative Fuels Data Center.

sixth place globally for affordability of fixed broadband Internet prices as a percentage of gross national income capita (ITU, 2020). The Economist Intelligence Unit's *Inclusive Internet Index* also highlighted how the U.S. compared to 99 other countries in terms of Internet availability, and affordability (The Economist, 2021). The U.S. ranked third overall and first in affordability.³²

In sum, while high price remains an accepted political response to explain low adoption rates, other than the Prieger and Hu 2008 work, we find no empirical studies that determine price to be a significant barrier to adoption for most unconnected households.

B. Programs Addressing Lack of Computer Ownership

Lack of a computer in a household traditionally restricted broadband Internet adoption; however, technology now offers the ability to connect via mobile devices and increasingly those in unserved and underserved areas are taking advantage of that option. Initially as part of the (BTOP) in 2009, many broadband Internet programs targeted computer ownership as the first step in increasing adoption. For example, the Wireless Philadelphia Digital Inclusion Project showed that a free computer was a critical element in the success of their mission (OMG Center for Collaborative Learning, 2008). Similarly, Connect Kentucky's (2009) Computers 4 Kids program provided computers for low-income families with children.³³ The impact of these programs is uncertain however, as analysts most often report on program implementation rather than outcomes of such implementation and utilize subjective surveys of program administrators and participants rather than employing statistical methods to determine program effectiveness.

One exception is a 2020 study by Rosston and Wallsten, who examine Comcast's Internet Essentials (IE) program.³⁴ In 2011 as part of its approval of the Comcast-NBCU merger, the FCC mandated a commitment by Comcast to introduce a low-income broadband Internet program that Comcast branded Internet Essentials. As part of the program, eligible participants can purchase a laptop computer or Chromebook at a significantly reduced price. Rosston and Wallsten examined the IE program and found that approximately 66 percent of IE subscribers represented increases in low-income adoption as a result of the program, with the remaining subscribers being households that switched from a competitor and households that would have subscribed as part of a general upward trend in adoption. The authors concluded that it would be difficult to infer that subsidized computers made a difference in broadband Internet subscription.

Perrin and Bertoni (2017) used data from the Pew Research Center to discern possible digital literacy limitations as reason for lack of adoption. They found that providing a tablet computer with Internet access to people without prior Internet experience did not encourage 40 percent of subjects to use the Internet. Most (70%) called technical support at some point to get help with their device, and almost half experienced login issues.

Another possibility to encourage adoption is advocating use of mobile-only connections for Internet access. Manlove and Whitacre (2019b) studied the development of mobile-only Internet access

³² Note that countries with the same average price for broadband are equal only with respect to affordability if that price represents the same percentage of average income.

³³ See Connect Kentucky.

³⁴ See xfinity *Internet Essentials*.

from 2011 through 2015, and discovered that specific groups were more likely to be adopters of mobile-only Internet access. Specifically, older users increased their incidence of mobile only connection as did racial and ethnic minorities and households in non-metro areas. Additionally, some demographic groups had shifted to using a smartphone only. They noted that 68 percent of Americans owned a smartphone; those in rural areas were 6 percent more likely to connect to the Internet via smartphone than via a fixed connection (in comparison to those in urban areas). Lower income and less educated individuals also were higher adopters of smartphone only Internet access.

C. Programs Addressing Digital Illiteracy

Digital literacy refers to the ability to use digital technology effectively. Most programs attempting to rectify the problem of digital illiteracy target specific groups, such as the elderly, or those who are under-educated, disabled, minorities, women, at-risk youth, or urban or rural low-income households.

LaRose et al. (2007) found that prior experience with the Internet and the expected outcomes of using the Internet directly promoted broadband Internet adoption. With respect to demographic characteristics, the authors found that only age and income had direct impacts on adoption as younger and more educated individuals were more likely to adopt. They noted that differences in the adoption of high-speed Internet had previously been attributed to the demographics of rural communities, including age, education, and household income, but their work showed that the precursors of broadband Internet adoption were individuals' perceived benefits of the Internet, the ability to acquire those benefits, and a perception of value in using the Internet. Powell et al. (2010) found that libraries and other community organizations could compensate for shortages in digital skills that constitute barriers to adoption for some.

D. Other Programs Aimed at Increasing Adoption

Connected Nation

Since 2001, Connected Nation has participated in a least one project in all but eight states, offering programs to help bridge the digital divide.³⁵ Connected Nation's website states: "From state-based technology planning and mapping programs to national educational technology initiatives, Connected Nation has partners in all sectors including libraries, schools, state and local governments, large technology companies, and small businesses. Our impact on the adoption, access, and use of technology is vast."³⁶ However, no empirical evaluation of such programs is made available. We were able to locate only one empirical analysis of Connected Nation program outcomes. Manlove and Whitacre (2019a) offered an empirical analysis evaluating the effectiveness of the Connected Nation program in five states during 2012 and 2013. They found

³⁵ Digital divide refers to the gap between those with ready access to computers and the Internet, and those without. Researchers now categorize the first digital divide as pertaining to access to technology, the second digital divide as pertaining to computer use, and the third digital divide as differences in social and cultural benefits derived from Internet use.

³⁶ See Connected Nation.

that participation in the program had no statistically significant impact on broadband Internet adoption rates.

Various other broadband Internet adoption initiatives have been established within states, among groups of states, and for tribal areas. For example, Connected North was established in 2013 by Cisco to connect indigenous students to Internet.³⁷ Nevertheless, we were unable to find any empirical studies of such programs.

Research concentrating on other barriers to adoption analyze correlations among adoption and demographic characteristics as well as the Internet service offered. Clements and Abramowitz (2006) found that along with those having higher income, younger and more educated individuals and those with children were more likely to adopt broadband Internet. Weiner et al. (2012) found that race and ethnicity did not predict household-level broadband Internet adoption, and that the strongest factor for adoption was computer use by the household decision maker.

Wallsten (2016) found that for a FCC experimental broadband Internet project, providers (wireline and mobile) signed up less than 10 percent of the number of participants they had expected. His results express the difficulty of encouraging low-income households to sign up even with large discounts, suggesting that subsidies are likely to go to those who already subscribe. Subscribers also were willing to accept lower speed for lower prices. A conundrum is that while non-subscribers cite lack of knowledge as a barrier to adoption, they generally express a reluctance to accept digital literacy training classes. Wallsten noted that in one project, many were willing to forego an additional \$10 per month savings or a free computer to avoid taking digital literacy classes.

VIII. Rural Access and Adoption

The Rural Health Care Program (est. 1997) provides funding to eligible health care providers for telecommunications and broadband services necessary for the provision of health care.³⁸ The goal of the program is to improve the quality of health care available to patients in rural communities by ensuring that eligible health care providers have access to telecommunications and broadband Internet services. Rural and non-rural health care providers that are members of a consortium with more than 50 percent rural health care provider sites, receive a 65 percent discount on communications services. Beginning in 2016, health care provider funding requests exceeded the funding cap and in 2018 the FCC released the *Rural Health Care Program Funding Cap Order* increasing the annual funding cap to \$571 million as of 2017 and adjusting the cap for inflation going forward. Flamm (2015) found that the program had a significant impact in stimulating entry of local broadband Internet service providers in rural areas receiving grants.

Among the primary programs designed for increasing access and adoption in rural areas was the BIP instituted as part of the National Broadband Plan. BIP funds were intended for use in rural unserved and underserved areas and were made available for last mile and middle mile broadband Internet infrastructure projects areas that were at least 75 percent rural and unserved or underserved.³⁹ Eisenach and Caves (2011) used three case studies of programs subsidized by BIP to

³⁷ See Connected North.

³⁸ See the FCC *Rural Health Care Program*.

³⁹ See the *United States Senate Broadband Initiatives Program (BIP) Guide*.

provide evidence that broadband Internet service already was widely available in the proposed program areas. They also showed that the taxpayer cost per unserved household was above benchmarks established under the program.

Using data from the FCC, Department of Commerce, USDA Rural Development Agency and information on state-level policies from the California Public Utilities Commission, Wallsten (2005) found that subsidies provided through USDA's Rural Development broadband Internet program were not correlated with increased rural access to broadband Internet.⁴⁰ He summarizes:

While the analysis in this paper does not find a significant correlation between USDA broadband spending and broadband access, USDA Rural Development (2005) claims that 'Since 2001, Rural Development has utilized a variety of loan and loan guarantee programs to provide over \$3 billion in funding and assist over 1.3 million rural subscribers in accessing broadband.' The report does not provide any details on how the number 1.3 million was determined, or whether any empirical testing was done to determine whether the program itself was responsible for making broadband available to those 1.3 million people. However, taking USDA's numbers at face value implies that USDA Rural Development spent about \$2,300 per person connected. USDA's numbers thus seem to suggest that the program is not cost effective. For the same cost, for example, USDA could have paid for all 1.3 million people to subscribe to satellite broadband services for nearly five years.⁴¹

Under the Rural Digital Opportunity Fund (RDOF) established in 2020, the FCC approved up to \$20.4 billion in funding over a 10-year period to support the construction of broadband Internet networks in rural communities. Eligible areas include those without access to adequate broadband Internet services defined by the FCC as 25 Mbps downstream and 3 Mbps upstream. The program includes a two-part application process by which entities seeking to participate in an auction to provide service must establish financial and technical capabilities to be eligible to bid. Winning bidders then provide additional information about qualifications and the network that they intend to use to meet their obligations, among other details.⁴²

Also designed to connect rural communities to the Internet is the Rural Tribal Priority Window.⁴³ Under this program any federally recognized tribe or Alaska native village could apply for spectrum, designating their own desired license areas provided the entire area is rural tribal land. The available spectrum was a portion of the 2.5 GHz band with three channels: 49.5, 50.5 and 17.5 MHz. The 2.5 GHz band was suitable for both mobile coverage and fixed point-to-point uses. This program is no longer active; the window to apply was from February 3, 2020, to September 2, 2020. There were 419 applicants; applications are still being processed and no empirical studies are available.

⁴⁰ Wallsten did find that USDA's broader telecommunications program is correlated with increased rural broadband Internet access but shows that the program costs on average about \$1,500 per person who gains access to at least one provider, but who does not necessarily adopt broadband Internet.

⁴¹ Wallsten (2005), p. 5.

⁴² See Universal Service Administrative Co., *Rural Digital Opportunity Fund*.

⁴³ See the FCC's *2.5 GHz Rural Tribal Window*.

Hollman et al. (2020) noted that to address rural access and adoption and in particular the existence of an urban-rural digital divide, a need exists for accurate measurement and reporting to quantify such divide. The authors develop a quantitative measuring unit that computes Internet throughput in low population density areas. The throughput data is matched with a survey of user perceptions of Internet use; used together, Hollman et al. (2020) were able to estimate the actual throughput of rural versus urban users as well perceptions of users' Internet access. In addition to the collection device, the authors are collaborating with the Nebraska Public Power District and Nebraska Rural Electrification Association to obtain detailed data with which they can estimate differences in Internet connectivity between rural and non-rural areas. This quantitative evaluation appears to be able to evaluate any evidence of a rural-urban divide; however, at present, the authors acknowledge possible reliability issues with the measurement device and are unable to offer rigorous results as to the efficacy of the measure or an urban-rural divide in any given location. The authors state that in the future the measure will provide a method to accurately visualize the urban-rural digital divide, which will aid in planning for community initiatives to remedy the problem.

Silva et al. (2018) used the NTIA's National Broadband Map and the FCC's Form 477 data to construct an empirical model to investigate the determinants of broadband Internet adoption in rural areas. The authors find that broadband Internet is available in most of the census tracts included in their study, particularly noting availability in the tracts with more educated, wealthier, and older people who have more choices of providers and are more likely to adopt. The positive impact of the older population on adoption contradicts other studies' findings; however, it is possible that in the areas studied, the contradictory result is due to the type of connection (i.e., traditional fixed broadband Internet versus mobile broadband Internet subscription). A key result was that if rural broadband Internet availability were to increase to 100 percent, the adoption rate would increase by 6.12 percent. A cost benefit analysis would help determine if the goal of 100 percent adoption is optimal.

Lastly, Whitacre et al. (2015) conducted a statistical analysis using data from the FCC and the National Broadband Map to analyze the relationship between broadband Internet availability and adoption and income in rural areas. They asserted that empirical analyses to assess the degree to which a lack of infrastructure might be responsible for any urban-rural digital divide was scant. They demonstrated that existing metro–non-metro differences in infrastructure availability comprised approximately 38 percent of the 2011 broadband Internet adoption gap between areas, and that 52 percent of the gap was due to differences in characteristics such as education and household income.

Note: the ReConnect Loan and Grant Program was established to furnish loans and grants for the costs of construction, improvement, or acquisition of facilities and equipment needed to provide broadband Internet service in eligible rural areas.⁴⁴ Applications for loans and grants were accepted until March 9, 2022. In the first round of the ReConnect Program, USDA invested \$656,052,244 in high-speed broadband Internet infrastructure to create or improve e-Connectivity for rural customers across 33 states. To date, USDA has announced \$852,077,212 for projects in the second round of funding, for a total of \$1,508,129,456 invested through the ReConnect Program. We were unable to find any empirical analyses of outcomes from any of the funded projects.

⁴⁴ See the United States Department of Agriculture, *ReConnect Loan and Grant Program*.

IX. Supply-Side Factors that Affect and may Increase Broadband Adoption

To increase broadband Internet access and adoption among those who remain unserved and underserved, policymakers have relied primarily on supply-side programs that increase broadband Internet availability; however, demand-side programs also have been implemented. As availability has been found to be ubiquitous in areas that continue to have unserved and under-served households, it may be that supply-side and demand-side policies are inexorably connected and might most effectively be considered in conjunction with one another. Several studies address the degree to which supply and demand side factors are linked.

In 2001, Prieger empirically analyzed whether broadband Internet carriers avoided areas with high concentrations of low-income and minority households and found little evidence of such (Prieger, 2001b). He found that higher education levels, Spanish language use, and commuting distance (demand-side factors) as well as market size and Bell presence (supply-side factors) increased access probability, while inner city or rural location decreased access probability.

Using ITU data, Lee and Brown (2008) estimated factors that affect global broadband Internet adoption and found that the supply-side factors of inter-platform competition, Internet content, services, and applications, and faster broadband Internet speed, are positively associated with higher levels of adoption. The authors also found that income and education (demand-side factors) were not found to influence adoption.

X. Regulatory Framework Considerations

Bauer (2015) provided a useful framework by which to consider broadband Internet diffusion and adoption governance. While not empirically based, the author contended that established regulatory theory and practice may not provide reliable guidance because they are founded on prior technologies and industry structures that no longer exist. Moreover, how government and nongovernment forms of coordination affect diffusion and adoption outcomes is complicated by the existence of non-linear direct and indirect effects whose impact on performance is not well understood. Bauer noted that the right combination of policy instruments and coherence between technology and regulation is often more important than the type of policy instrument employed. He offered the following summary in Table 2 of varying effects of possible policy instruments.⁴⁵

⁴⁵ Bauer (2015, p. 19).

Table 2*Direct and Indirect Effects of Policy Instruments*

Governance instrument	Network operators		Content, application providers		Overall sectoral effect
	Incumbent	New entrant	Modular	Coupled	
R&D support	+	+	+	+	+
Demand-side measures	+	+	+	+	+
Mobile data roaming	-	+	+	+/-	?
Mobile net neutrality	-	+	+	+/-	?
Overall stakeholder effect	?	+	+	?	

Because broadband Internet technologies have different advantages for cost, usability, throughput, etc., a policy structure whereby different broadband Internet technologies compete and consumers can choose the technology (or combination thereof) that meets their needs is optimal. Bauer recommended technology neutral governance: regulation should neither require nor assume a particular technology. By extension, the rules should neither favor nor discriminate against a particular technology.

The assertions of Bauer's 2015 position paper are supported by empirical work examining the impact of regulatory interventions in broadband Internet markets. Using Ookla and Akamai data of realized download speeds for a sample of OECD and medium-income countries, Bauer (2014) showed that regulatory interventions such as unbundling or open access provision positively impacted broadband Internet availability in markets with limited competition. His results also provided evidence that the optimal policy for a given country was dependent on the specific context of a country so that no single best practice model emerged from the observations.

Similarly, Bauer and Tsai (2014) analyzed the effects of public policy on broadband quality, as they asserted that benefits from advanced ICT services were increasingly dependent on the quality of available connectivity. They specified that the most important factor with a positive effect on quality and quality improvements is competition. They also cited evidence that regulatory interventions such as unbundling or open access provision positively impacted markets with limited competition.

In a comparable study, Prieger et al. (2014) conducted an empirical analysis of quality competition among broadband ISPs using National Broadband Map data from 2011 to 2013 for local markets in California. Their results show that incumbent local exchange carriers (ILECs) improved the quality of their ADSL offerings when a cable provider entered the market, and also when cable operators started to offer higher speeds. However, ILEC ADSL providers did not raise their service quality in response to ADSL competition from CLECs but did improve speeds when CLECs deployed fiber in the market. These results substantiate Bauer and Tsai (2014) regarding the role of competition in maintaining quality.

Friederiszick et al. (2008) conducted a panel data analysis of 25 European countries to understand the correlation between entry regulation and infrastructure investment. They showed that stricter regulation negatively impacted infrastructure investment by entrants but had no effect on investments by incumbent providers. Using data from 20 EU countries, Grajek and Roller (2012) found that access regulation negatively affected investment incentives.

Biedny et al. (2021) analyzed legislation designed to increase broadband Internet availability by requiring state-funded construction projects to notify local Internet providers about the opportunity to bury conduit for easier wire installation in the future and permitting policies that require timely response from local jurisdictions regarding installation of broadband Internet equipment. Their data comes from Iowa, which passed such legislation in 2015. The authors determined that the legislation increased fiber availability by approximately 5 percent compared to states that had not passed such legislation; however, they found no impact on fixed wireless diffusion. They concluded that the results offered only limited support for the claim that such policies have any significant impact on broadband Internet fiber availability, and no support for benefits with respect to fixed wireless.

While they are older studies, Prieger's (2001a, 2007) panel data analyses of U.S. regulatory impacts on broadband Internet innovation showed that progress would have been greater if FCC regulations on the innovation and introduction of advanced telecommunications services had not been imposed, and that decreasing regulatory delays decreased time to introduce new services. Wright and Hazlett (2016) came to the same conclusion, finding that broadband Internet markets in the U.S. showed notable growth in response to deregulation reducing Title II requirements.⁴⁶

A final consideration is the impact of local loop unbundling (LLU) policies.⁴⁷ Hausman (2001, 2002) showed that LLU regulation in the U.S. impeded incumbents' deployment of network facilities required for DSL (advantaging cable operators).

Ovington et al. (2017) used data for EU-27 countries to estimate the impact of varying types of competition on broadband Internet adoption. They illustrated that LLU has had a positive impact on broadband participation, although the impact was smaller in areas where other networks already had a significant share of broadband Internet lines.

⁴⁶ Title II of the Telecommunications Act defines obligations of common carriers.

⁴⁷ LLU refers to the regulatory policy whereby the incumbent operator makes its infrastructure (physical wire connections) available to other providers. LLU might encourage competition by reducing economic barriers to entry, allowing new entrants to construct some components of their networks and obtain other components from the incumbent.

Appendix G

Federal and State Funds Available for Broadband Expansion and Support

	Name of Program	Agency	Funding	Description	Recipients/Eligible Applicants	Eligible Uses/Service to be Provided
Infrastructure Investment and Jobs Act (IIJA)	Broadband Equity, Access, and Deployment	NTIA	\$42.45 billion	The BEAD program appropriates \$42.45 billion for states, territories, the District of Columbia, and Puerto Rico to use for broadband planning, deployment, and adoption projects. Each will receive at least \$100 million, including an initial funding of \$5 million to support broadband planning, building capacity in state broadband offices and outreach and coordination with local communities. Each will submit a 5-year action plan which shall be informed by collaboration with local and regional entities. The remaining funding will be distributed based on a formula that considers the number of unserved and high-cost locations in the state, based on maps to be published by the Federal Communications Commission in 2022. Priority is for deployment in unserved locations (those below 25/3 Mbps), followed by underserved locations (those below 100/20 Mbps), and then community anchor institutions. See https://www.benton.org/blog/largest-us-investment-broadband-deployment-ever for additional details.	States, territories, D.C. states may not exclude cooperatives, nonprofit organizations, public-private partnerships, private companies, public or private utilities, public utility districts, or local governments.	Data collection, broadband mapping and planning (no more than 5% of state funding for planning); broadband infrastructure deployment to unserved and underserved areas (e.g. construction); connecting eligible community anchor institutions; promotion of broadband adoption, including through the provision of affordable internet-connected devices; provision of WiFi or reduced-cost internet access to multi-family housing units; and for other uses the NTIA determines are necessary to facilitate the goals of the program. Networks must provide speeds not less than 100 megabits per second download and 20 megabits per second upload.
	Affordable Connectivity Program	FCC	\$14.2 billion	ACP is an FCC Benefit program that helps ensure that low-income households can afford the broadband they need for work, school, healthcare and more by funding \$30/month discount for broadband internet service, and discounted devices for eligible households. It is a modification of the Emergency Broadband Benefit (EBB) which was funded at a higher level (\$50 monthly subsidy) from the Consolidated Appropriations Act, 2021.	Eligible households must meet federal poverty guidelines or other stated criteria. Service must be obtained from participating Internet Service Providers (which receive funding from FCC and apply discount to consumers' monthly bills.)	Helps low income households afford home broadband service by providing up to a \$30 monthly benefit on a household's monthly internet bill. For low-income households on Tribal lands, the benefit is up to \$75. Eligible households can receive a one-time discount of up to \$100 to purchase a laptop, desktop computer, or tablet if household contributes \$10-\$50 toward purchase. Limited to one monthly service discount and one device discount per household.
	Tribal Broadband Connectivity Program	NTIA	\$2 billion	IIJA adds funds for TBC program competitive grants for broadband infrastructure deployment; affordable broadband programs; distance learning; telehealth, digital inclusion efforts; and broadband adoption activities. Deadlines are extended to allow grantees more time for deployment and broadband adoption.	Tribal Governments, Tribal Organizations, Tribal Colleges or Universities	Planning (feasibility), broadband infrastructure deployment (construction), broadband adoption/digital literacy/tech support, digital skills training, Workforce Development, Devices/equipment, public connectivity/computer access, research and/or evaluation, data and/or mapping, smart communities/cities/regions, telehealth.
	State Digital Equity Planning Grant	NTIA	\$60 million	Formula grant program for states and territories to develop digital equity plans. Goal is to promote the meaningful adoption and use of broadband across targeted populations, including low-income households, aging populations, incarcerated individuals, veterans, individuals with disabilities, individuals with language barrier, racial and ethnic minorities, and rural inhabitants.	States, Territories, District of Columbia	Planning (e.g., feasibility).
	State Digital Equity Capacity Grant	NTIA	\$1.44 billion	Formula grant program with funds distributed via annual grant programs over five years to implement digital equity projects and support the implementation of digital equity plans, thereby promoting digital inclusion of targeted populations.	States, Territories, District of Columbia	Planning (e.g. feasibility), broadband adoption/digital literacy/tech support.

	Name of Program	Agency	Funding	Description	Recipients/Eligible Applicants	Eligible Uses/Service to be Provided
	State Digital Equity Competitive Grant	NTIA	\$1.25 billion	Discretionary grant program with funds distributed via annual grant programs over five years to implement digital equity projects, thereby promoting digital inclusion of targeted populations.	Local Education Agency; state governments, including any political subdivisions of the state; Tribal/Native American governments; non-profit organizations; community anchor institutions; and work Force development programs.	Broadband adoption/digital literacy/tech support, digital equity programs
	Middle Mile Grants Program	NTIA	\$1 billion	The program funds construction, improvement or acquisition of middle mile infrastructure. Purpose is to expand and extend middle mile infrastructure to reduce the cost of connecting unserved and underserved areas to the internet backbone.	Eligible applicants include states, counties, cities/townships and their subdivisions; tribal governments; Native American entities; public utility districts; economic development authorities; regional planning councils; technology and telecommunications companies; electric utilities; electric cooperatives; and nonprofits.	Broadband infrastructure deployment (e.g., construction)
	U.S. Dept. of Agriculture ReConnect Program	Dept. of Agriculture Rural Utilities Service (RUS)	\$1.926 billion	The ReConnect Program offers loans, grants and loan-grant combinations to build infrastructure and install equipment to provide modern, reliable high-speed Internet in rural America. ReConnect Program is funded by annual appropriations, CARES Act, and IJA.	Rural areas (specifically defined) without sufficient access to broadband (100Mbps down/20Mbps up). Eligible recipients include most state and local government entities, federally-recognized tribes, nonprofits, for-profit businesses, consortia of eligible entities.	ReConnect funds capital costs including construction, improvement, or acquisition of facilities and equipment needed to provide broadband capable of delivering 100 Mbps symmetrical service and acquisition of an existing system not currently providing sufficient access to broadband. Up to 5% may be used for preapplication expenses.
	US. Dept. of Agriculture Broadband Loan program	Dept. of Agriculture Rural Utilities Service (RUS)	\$74 million	The Rural Broadband Access Loan and Loan Guarantee Program makes loans and loan guarantees to finance construction, improvement or acquisition of facilities and equipment needed to provide high speed broadband service in eligible rural areas.	Corporations, Limited Liability Company, Cooperative or Mutual Organizations; a State or Local Unit of Government.	Broadband loans provide funding on a technology-neutral basis for financing the construction, improvement and acquisition of facilities required to provide broadband service.
	Private Activity Bonds	IRS Internal Revenue Code	\$600 million	States are allowed to issue Private Activity Bonds to finance broadband deployment, specifically for projects in rural areas where a majority of households do not have access to broadband (25/3 Mbps) if at least 90% of locations provided service did not have access to broadband before.	PABs can be issued by a local government, industrial development authority, housing finance authority, or other authorized entity, subject to state volume cap as allocated among regions by State of Florida.	The IJA amends the Internal Revenue Code creating a new category of exempt facility bond which is called "qualified broadband projects" to help fund those projects.
	Affordable Connectivity Outreach Grants	FCC Wireline Competition Bureau	TBD	This program helps inform and educate consumers about the ACP program, the FCC may provide grants to outreach partners.	TBD	TBD
	U.S. Dept. of Agriculture ReConnect Program	US Dept. of Agriculture Rural Utilities Service (RUS)	\$350 million in grants available for Tribal Governments, \$35 million max award; \$200 million in loans, \$50 million max award; \$250 million in combo loan/grant; \$350 million available for grants, \$35 million max award	ReConnect furnishes loans and grants to provide funds for the costs of construction, improvement, or acquisition of facilities and equipment needed to provide broadband service in eligible rural areas. Up to 5% of the award may be used for preapplication expenses.	Corporations, limited liability companies and partnerships, cooperatives or mutual organizations, states or local governments or subdivisions, territories, or Indian tribes.	Costs of construction, improvement or acquisition of facilities and equipment needed to provide broadband service in eligible rural areas. Potential awardees must meet a 100 Mbps symmetrical minimum service requirement in all proposed service area.

	Name of Program	Agency	Funding	Description	Recipients/Eligible Applicants	Eligible Uses/Service to be Provided
Existing Programs	Community Connect Grant Program	US Dept. of Agriculture Rural Utilities Service (RUS)	Community Connect Grant Program	Community Connect provides financial assistance to eligible applicants that will provide broadband service in rural, economically-challenged communities where broadband service does not exist (lacking 10/1 Mbps).	Incorporated organizations, federally recognized tribes, state and local units of government, other legal entities including cooperatives, private organizations, or LLCs.	The construction, acquisition, or leasing of facilities, spectrum, land or buildings used to deploy broadband service for all residential and business customers located within the Proposed Funded Service Area or all participating critical community facilities (such as public schools, fire stations, and public libraries) or for providing broadband service free of charge to same for two years.
	E-Rate – Schools and Libraries USF Program	FCC - Federal Universal Service Fund (USF)	Ongoing	The schools and libraries universal service support program, known as the E-rate program, helps schools and libraries to obtain affordable broadband by funding discounts for service pricing. Category one services are to a school or library (telecommunications, telecommunications services and Internet access), and category two services deliver internet access within schools and libraries (internal connections, basic maintenance of internal connections, and managed internet broadband services). Discounts for service pricing increase with the percentage of students eligible for free or reduced price school lunches, and vary depending on whether the school/library is located in an urban or rural area. Discounts range from 20% to 90% of the prices of eligible services. It is administered by the Universal Service Administrative Company under the FCC's direction and is not dependent on Congressional appropriations.	Schools and libraries	Telecommunications, telecommunications services and internet access (category one) and services that deliver internet access within schools and libraries such as internal connection, basic maintenance of internal connections, and managed internet broadband services (category two); Emergency Management Grants.
	Rural Digital Opportunity Fund (RDOF)	FCC - Federal Universal Service Fund (USF)	\$20.4 billion over 10 years, up to \$16 billion in Phase I, \$4.4 billion in Phase II	RDOF funding is awarded from the FCC Universal Service Fund through a reverse auction process for eligible areas – census blocks where no provider is offering broadband at 25/3 Mbps. Eligible entities (those which establish baseline financial and technical capabilities) may bid to serve one or more eligible areas. Bids must state a performance tier commitment – Minimum, Baseline, Above Baseline, or Gigabit – each of which has associated speed and other requirements. Upon notification of award, winning bidders must submit a detailed long form application for approval of funding to the FCC including certification of eligible telecommunications carrier status. Phase I funding is being awarded for the auction which concluded November 25, 2020. Phase II auction will occur to cover locations in census blocks that are partially served, as well as locations not funded in Phase I. FCC USF is not dependent on Congressional appropriations.	Entities seeking to participate must establish baseline financial and technical capabilities in order to be eligible to bid.	Construction of facilities to provide broadband and voice services to serve all locations in the eligible area at the committed performance tier (speed, latency, data usage). At least one broadband and voice service must be offered at rates that are reasonably comparable to the rates for similar service in urban areas.

Name of Program	Agency	Funding	Description	Recipients/Eligible Applicants	Eligible Uses/Service to be Provided
Lifeline	FCC - Federal Universal Service Fund (USF)	Ongoing	Lifeline program originated in 1985 to provide a discount on phone service for qualifying low-income consumers. In 2016 the FCC extended the program to provide discounts for broadband internet access. The Lifeline program is funded from the FCC's Universal Service Fund and administered by the Universal Service Administrative Company (USAC). USAC is responsible for data collection and maintenance, support calculation and disbursement for the Lifeline program. The FCC USF is not subject to Congressional appropriations.	Eligible low-income consumers in every state, territory, commonwealth, and on Tribal lands.	Discounted telephone service and broadband for low-income consumers.
Connect America Fund CAF II	FCC - Federal Universal Service Fund (USF)	Ongoing (approximately \$5 billion annually to eligible recipients)	This is part of the Universal Service High Cost program and is designed to expand access to voice and broadband services for areas where they are unavailable.	Service providers	Subsidizes the cost of building network infrastructure or performing network upgrades to provide broadband in areas where it is lacking.
Connecting Minority Communities Pilot Program	NTIA	\$268 million	The CMC program seeks to expand educational instruction and remote learning opportunities, spur economic development, create opportunities for employment and entrepreneurship, by building the digital capacity of the eligible institutions and furthering broadband access, adoption, and digital skills within those institutions and in their surrounding anchor communities. Grants are for the purpose of extending broadband internet access, connectivity and digital inclusion, and will be distributed to help these entities purchase broadband service or equipment, hire IT personnel, operate a minority business enterprise, and facilitate educational instruction and learning. The CMC program was established by the Consolidated Appropriations Act, 2021.	Historically Black Colleges or universities, Tribal Colleges or Universities and minority-serving institutions or eligible consortiums.	Purchase broadband service or equipment, hire IT personnel, operate a minority business enterprise, and facilitate educational instruction.
Broadband Infrastructure Program	NTIA	\$288 million	This broadband deployment program is directed to partnerships between a state, or one or more political subdivisions of a state, and providers of fixed broadband service to provide qualifying broadband service (greater than 25/3 Mbps) to eligible service areas. Funding was established by the Consolidated Appropriations Act, 2021.	Partnership of a state or one or more subdivisions and a provider of fixed broadband service.	Grants to covered broadband projects, defined as competitively and technologically neutral projects for the deployment of fixed broadband service in eligible areas.
Telecommunications Infrastructure Loans and Loan Guarantees	Dept. of Agriculture Rural Utilities Service (RUS)	Ongoing	This program provides financing for the construction, maintenance, improvement and expansion of telephone service and broadband in rural areas. The types of loans available are: cost-of-money loans from RUS; Loan Guarantees through the Federal Financing Bank; Hardship Loans from RUS to serve underserved areas.	State and local governmental entities; Federally Recognized Tribes; non-profits, including Cooperatives and limited dividend or mutual associations, for-profit businesses. Eligible areas are rural areas and towns with a population of 5,000 or less, areas without telecommunications facilities or areas where the applicant is the recognized telecommunications provider.	Loans may be used to finance telecommunications services in rural areas for new construction, improvements, expansions, acquisitions (if cost is incidental to cost of improvements), and refinancing.

	Name of Program	Agency	Funding	Description	Recipients/Eligible Applicants	Eligible Uses/Service to be Provided
	Coronavirus State and Local Fiscal Recovery Funds	Department of Treasury	\$10 billion	American Rescue Plan (ARPA) provides funds to eligible governments to be used to make necessary investments in broadband infrastructure which has been shown to be critical for work, education, healthcare, and civic participation during the public health emergency. The priority is to fund reliable, affordable broadband infrastructure and other digital connectivity technology projects. The program encourages projects that are designed to serve locations without access to reliable wireline 100/20 Mbps broadband service. Recipients must require the service provider to participate in the Affordable Connectivity Program.	States, territories, Tribal governments	The project invests in capital assets designed to directly enable work, education and health monitoring. The capital project is designed to address a critical need that resulted from or was made apparent or exacerbated by the Covid-19 public health emergency. The capital project is designed to address a critical need of the community to be served. Eligible uses include broadband infrastructure projects (with symmetrical speeds of 100 Mbps), Digital Connectivity Technology Projects, Multi-Purpose Community Facility Projects (that directly enable work, education and health monitoring) located in communities with critical need for the project. Also more may be eligible on case-by-case review.
	Florida Broadband Opportunity Fund	Florida Dept. of Economic Opportunity	FY 2022-23 appropriation of \$400 million from the General Revenue Fund contingent upon state receipt of federal Coronavirus State Fiscal Recovery Funds.	The appropriation is to expand broadband Internet service to unserved areas of the state through the Broadband Opportunity Program. Grants are to be made for installation or deployment of infrastructure that supports the provision of broadband Internet service pursuant to Fla. Stat. § 288.9962.	Eligible applicants include: corporations, limited liability companies, and general, or limited, partnerships that are organized under Florida law or authorized to do business in Florida; political subdivisions; Indian tribes; and governmental entities or educational institutions under certain circumstances (Fla. Stat. § 288.9962)	BOP to award grants to applicants who seek to expand broadband Internet service to unserved areas of Florida. Grants are to fund installation or deployment of infrastructure that supports the provision of broadband Internet service. Grant funds may not be used for broadband Internet service in areas where broadband is already deployed. The Florida Office of Broadband may not award grants to provide broadband in an area where federal funding has been awarded (Fla. Stat. § 288.9962).

Disclaimer: this table is compiled from identified source information and does not purport to collect all information regarding each and every broadband program. Rapid developments are occurring with regard to funding of broadband expansion in underserved and unserved areas. Please check relevant agency websites for updated and current information.

20-Apr-22

Sources:

1. Building A Better America: Guidebook to the Bipartisan Infrastructure Law for State, Local, Tribal, and Territorial
2. State and federal agency websites including the Florida Department of Economic Opportunity, Federal
3. Bipartisan Infrastructure and Jobs Act Summary: A Road to Stronger Economic Growth
4. Coronavirus State & Local Fiscal Recovery Funds: Overview of the Final Rule; U.S. Department of the Treasury
5. Online Sunshine, The 2021 Florida Statutes

Links:

- https://www.whitehouse.gov/wp-content/uploads/2022/01/BUILDING-A-BETTER-AMERICA_FINAL.pdf
See above.
- <https://www.cantwell.senate.gov/imo/media/doc/infrastructure%20investment%20and%20jobs%20act%20-%2>
- <https://home.treasury.gov/system/files/136/SLFRF-Final-Rule-Overview.pdf>
- <http://www.leg.state.fl.us/Statutes/index.cfm?Mode=View%20Statutes&Submenu=1&Tab=statutes>



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Subject: RE: Florida Strategic Plan for Broadband
Attachments: June 24 Draft - Florida Broadband Strategic Plan (AK).docx

Great work, truly.

Minor tweaks in the attached, largely focused on a couple things:

1. We keep using the phrase "healthcare" when generally that is misleading, in a couple ways, because it's more about points of access to health care, not creating a healthcare program;
2. I added "housing" in a few places, right after health; and
3. I just made the wording a little more consistent around those moral high grounds.

Both websites look great.

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Subject: Florida Strategic Plan for Broadband

Good afternoon all.

As you're all aware, the Strategic Plan is due to the legislature and the governor on June 30th (this Thursday). There are two attachments to this email: The current draft of the Florida

Strategic Plan for Broadband (edited in response to recent feedback from EOG and OPB as well as the meeting) and the second attachment is the email from Alex Kelly with y'all's comments included in the draft for your reference).

The attached current draft of the Florida Strategic Plan for Broadband is a clean version, we've accepted all tracked changes and eliminated all comments and replies for ease of reading. Here is a summary of the changes/updates we've made.

- We've largely overhauled the opening sections in the broad "Overview" part of the document. This overhaul was to compress and consolidate certain pieces, as well as better illustrate the goals of the plan and improve the presentation of the various steps and focal points. This was in response to several of your comments.
- There is a new graphic for "Steps to a Connected Economy." We have several other options but wanted to get more of your feedback, as a summary graphic in the early part of the plan will help ensure future readers are on the same page. We'll create a final graphic once you've had a chance to give us further guidance from this version.
- Several sections had pieces that you identified you felt fit better in other locations. We've maneuvered those around the document, so if you feel some déjà vu, it's because we removed it from another location at your recommendation.
- There are two new strategies based on your feedback. The first, is Strategy 2, which is a partner strategy to former Strategy 14 (now Strategy 15) – your feedback was to make that strategy of more paramount importance and shift the perspective to state. Strategy 14 (now 15) remains in Part B. Local Role in Section I. Availability, but the new Strategy 2 is located in Part A. State Role in Section I. Availability. The second new strategy is Strategy 21 in Section III. Accountability. This Strategy is a drilled-down more specific strategy to measure success and ensure accountability.
- Strategy 10 (now Strategy 11) has been updated with thanks to Katie Crofoot for the improved language.
- In many places you provided comments or requests for clarity or elaboration. We addressed these in a number of ways: through improving the general language of the bullet-point or section itself; by adding a footnote that links to more information or defines particular references; and in some cases simply enumerating examples.
- Generally speaking we made numerous edits, re-writes, and updates to follow the direction of your feedback and we look forward to your review.

We also have the map due to the legislature and Governor on June 30. For the Map requirement: We have one map fed by two mapping initiatives at the moment. We have the [Speed Test Results Map](#). And we have the new multi-layered [Faster Florida Broadband Map](#). Eventually the latter will consume the former as a data layer.

Timeline: Phase I of each map is complete. Phase II will see the Speed Test Results populated into the Faster Florida Broadband Map as an active layer (target timeline for that would be for June 30); Phase III will see ISP data layered into the map along with more geo-political boundary information.

Thank you all very much, please let me know any questions you have.

Benjamin M. Melnick

Deputy Secretary, Community Development

Florida Department of Economic Opportunity

Office: 850-717-8477

www.FloridaJobs.org



Help build the Florida Broadband [Map](#), take the [speed test survey](#) today!

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Florida Department of Economic Opportunity

THE FLORIDA STRATEGIC PLAN FOR BROADBAND

Broadband Internet Infrastructure Strategies
for a Connected Economy to Support Workforce
Development, Education, and Healthcare.



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Overview

Executive Summary:

In its first two years of existence (2020-2022), the Florida Department of Economic Opportunity's (DEO or Department) Office of Broadband began laying the groundwork for broadband Internet expansion in Florida. The first steps in this effort are documented in Appendix E.

The **Florida Broadband Deployment Act of 2021** ("2021 Act"; Ch. 24, 2021 Fla. Laws, codified at §§ 288.9961-288.9963, Fla. Stat.) directed the Office of Broadband to complete the following tasks:

- Develop a map of broadband Internet service availability throughout the state;
- Review and verify public input regarding transmission speeds and availability of broadband Internet services throughout the state;
- Develop, market, and promote broadband Internet services in the state;
- Create a strategic plan to increase the use of broadband Internet services in the state;
- Build and facilitate Local Technology Planning Teams (LTPTs) or partnerships;
- Participate in the Federal Communications Commission (FCC) proceedings that are related to the geographic availability and deployment of broadband Internet in Florida; and
- Establish the Broadband Opportunity Program and rules for the program to award grants to applicants who seek to expand broadband Internet to unserved areas, subject to appropriations (§ 288.9961(4), Fla. Stat.).

The Florida Legislature directed the Florida Department of Economic Opportunity's Office of Broadband to develop a strategic plan to guide the State of Florida in broadband Internet expansion and improvement. Under the leadership of the Governor, the Department has undertaken this task with coordination, input, participation, and support from partners and Floridians across the state. This Strategic Plan lays out the vision of the Office of Broadband, the elements and steps of the strategic plan, the roles for state and local stakeholders, and the strategies to undertake as Florida works toward the expansion of broadband Internet.

Strategic Plan Vision for a Connected Economy: DEO's mission and vision is to assist the Governor in advancing a connected economy in Florida by championing the state's economic development vision and by administering state and federal programs and initiatives, including broadband, to help visitors, citizens, businesses, and communities. DEO's role is to holistically focus on the state's workforce, economy, and community development and this is accomplished through workforce development and funding ready infrastructure, as well as by strengthening the connections and partnerships between workforce investments, economic development, and strong communities.

The vision for this Strategic Plan and the future of the Broadband Program is to provide guidance to state decision makers about investments for the provision of high-speed, reliable broadband Internet service access to all Florida communities in support of telemedicine, education opportunities, workforce development, and community development. DEO's Office of Broadband is and will be actively providing such guidance and working with local and state government agencies, community organizations, and private businesses to increase the availability and effectiveness of broadband Internet throughout the state, specifically in small and rural communities.

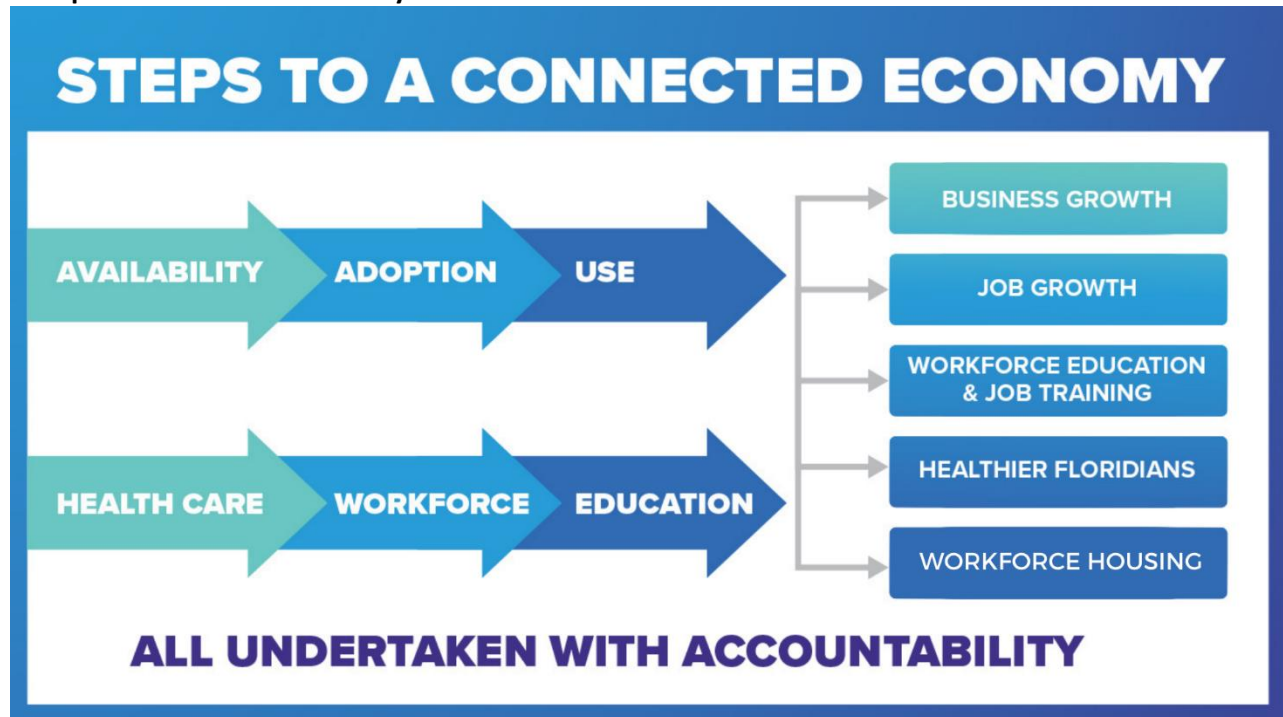
This vision comports with legislative findings in the Florida Broadband Deployment Act of 2021, "that the sustainable adoption of broadband Internet service is critical to the economic and business development of this state and is essential for all residents of this state, libraries, schools, colleges and universities, health care providers, and community organizations" (§ 288.9961(1), Fla. Stat.).

By building these partnerships, Florida will be a national leader in broadband Internet connectivity, infrastructure, and utilization to enhance workforce viability, education opportunities, and telehealth initiatives. To that end, Florida will pursue its goal of expanding the availability, as well as the adoption and use, of broadband Internet to unserved and underserved communities by identifying and leveraging funding opportunities and partnerships.¹

Three Steps to a Connected Economy: This Strategic Plan provides a linear three-step approach to fully realize broadband Internet connectivity enhancing broadband Internet in Florida and reaching the goal of a Connected Economy bolstering the central tenants of supporting a robust workforce, educational opportunities, and health care access: 1) Availability; 2) Adoption, and 3) Use of digital content.

¹ "Unserved" in the 2021 Act means an area of the state where there is no provider of broadband Internet service having speeds over 25/3 Mbps. "Underserved" in the 2021 Act means an area of the state where there is no provider of broadband Internet service at speeds over 100/10 Mbps.

3 Steps to a Connected Economy



The three steps of Availability, Adoption, and Use, lead to a Connected Economy supporting development of Workforce, Education, and Health Care, and each step must be undertaken with a high level of Accountability to ensure positive impacts in Business Growth, Job Growth, development of Workforce Education and Job Training opportunities, Healthier Floridians, and connected Workforce Housing.

Outcomes for a Connected Economy and Accountability:

Of course, these three steps are meaningless without an intentional focus on outcomes for a connected economy:

Workforce Development: A connected economy is realized when robust workforce development initiatives result in the creation and sustainability of high-quality, high-paying jobs and career paths for residents, particularly in communities that are rural and/or underserved. For example, enhanced broadband connectivity in a community could help recruit manufacturing businesses to set up a headquarters or plant in that area, creating a need to hire locally. If the business entities in the area team up with local education institutions and create a program allowing students to enroll and obtain credentials necessary to apply for a position, this can create a pool of talent and job opportunities that would have not otherwise come to fruition.

Education: Greater access to educational opportunities and educational choice to students and families, while also promoting enhanced collaboration between education institutions and private-

sector businesses to create successful career pathways for individuals. Beyond the workforce component, enhanced connectivity and access produces great choice for existing residents and prospective residents, helping rural and underserved communities grow and thrive.

Health Care: Availability of telehealth and public health services in typically undeserved communities to produce healthier Floridians and support their ability to be successful in all other facets of their lives. Much like education, connectivity resulting in health care access also helps in terms of recruiting talents for businesses, ensuring that residents, employers, and employees are able to thrive in their community.

Accountability is the foundation for success of the three steps: availability, adoption, and use of digital content, and expected outcomes for workforce development, educational access and choice, and healthier Floridians. An initiative without accountability, however well-intentioned it is, lacks longevity and the ability to meaningfully impact the lives of the Floridians who need it most. While each step must be undertaken with accountability, measuring the positive impacts on Floridians throughout the process and as a result of each grant award is paramount. Ensuring the connected economy outcomes of Business Growth, Job Growth, Workforce Education and Job Training, Healthier Floridians, and Workforce Housing requires accountability in measuring the results of each component. As such, all three steps build linearly to ensure a connected economy is supported by, and stands firmly upon, accountability, which is specifically addressed in Strategies 21 through 25.

Implementing Availability, Adoption, and to Reduce the Digital Divide and Foster a Connected Economy

This Strategic Plan will help Florida reduce the digital divide² that exists between areas that are fully equipped to realize the benefits of broadband Internet service and those that are not. Florida's diversity dictates the use of various methods, technologies, and configurations to ensure connectivity in a manner best suited to resident needs. Implementing the three steps of availability, adoption, and use will help ensure the workforce, education, health and housing sectors, as a whole, are strengthened.

Each of the three steps to creating a connected economy builds from the previous. There won't be broadband internet *use* without adoption of broadband internet service, and it cannot be *adopted* if it is not *available*. Availability, adoption, and the use of broadband Internet services throughout Florida will allow the state's residents to reap benefits from a connected economy that fuels advancements and allows more Floridians to fully partake in available workforce, education, health and housing opportunities.

² The gap between people who have access to broadband Internet services, have adopted it, and know how to use digital content (digital literacy), and those who do not.

The Role of Florida's Communities

At its heart, this Strategic Plan is a community-based approach to ensure service needs are identified and met in unserved and underserved areas. The three steps to building a connected economy — availability, adoption, and use — support Florida's resiliency only if Florida's communities assume primary responsibility for contributing to this effort. In this way, Florida communities share the underlying theme of accountability with the Office of Broadband.

What are the communities' roles, and what must they decide?

PARTNER WITH STAKEHOLDERS: *Who will their partners be?*

PLAN FOR BROADBAND INTERNET DEPLOYMENT: *What information and other data will partners need?*

PAY FOR BROADBAND INTERNET DEPLOYMENT: *What funds will be used?*

PROVIDE FOR BROADBAND INTERNET DEPLOYMENT: *Who will build and provide these services?*

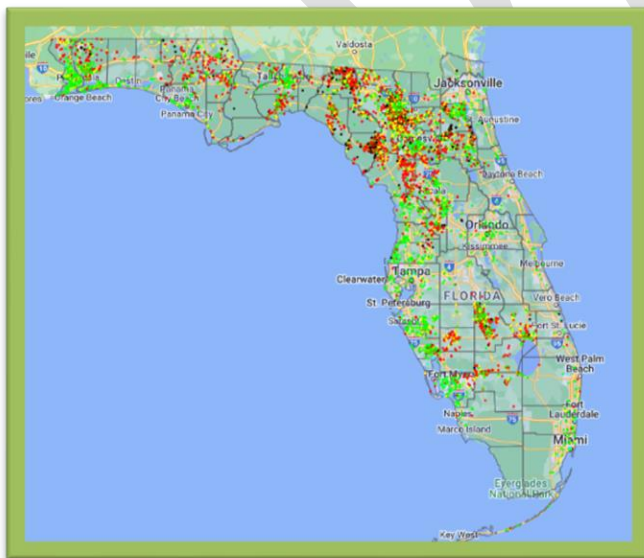
PPROMOTE ADOPTION AND USE: *How will this be done?*

The 2021 Act emphasizes the involvement of local and regional entities in planning for broadband Internet expansion in unserved and underserved areas of the state. The 2021 Act underscores the concept that local and regional entities are well-positioned to identify and respond to the broadband Internet needs of their residents. This approach is supported by charges to the LTPTs to “help the communities understand their current broadband availability, locate unserved and underserved businesses and residents, identify assets relevant to broadband deployment, build partnerships with broadband service providers, and identify... assets and reduce barriers to the deployment of broadband Internet services.” (§ 288.9961(4)(b), Fla. Stat.).

“The most critical aspect of this comprehensive effort is a coordinated planning effort between Local Technology Planning Teams (LTPTs) and the Florida Office of Broadband” (Florida Office of Broadband, 2022a).

Stakeholders from various industries are involved in LTPTs. Some communities focus on the involvement of a core group of large broadband Internet service users, while other communities involve all stakeholders, regardless of the scope of their needs. The rationale for the former is that a network is being developed to support all applications and broadband Internet users; therefore, it is not necessary to have every stakeholder at the table. The other perspective is that there is little downside to involving a wide range of stakeholders to ensure that all needs are considered.

The Role of the State



The state has a leadership role in accountably ensuring that broadband Internet availability, adoption, and use are sustainable in every community and rural area for a resilient Florida future. Therefore, the state will support and facilitate the actions of communities to achieve these goals. This Strategic Plan identifies how the state will support and facilitate the work communities have before them in identifying and planning how to meet their broadband Internet needs. Some of this work began before the development of this Strategic Plan, as evidenced by the creation of the office in 2020 and the further groundwork completed by the Legislature and DEO in 2021 and early 2022.

As broadband Internet is critical for many facets of economic development and an integral part of infrastructure, DEO is statutorily charged with overseeing broadband Internet expansion initiatives (§ 288.9961(3), Fla. Stat.). This charge fits within DEO’s mission to assist the Governor in advancing

Florida's economy by championing the state's economic development vision and by administering state and federal programs and initiatives to help visitors, citizens, businesses, and communities. DEO's role is to holistically focus on the state's workforce, economic, and community development initiatives by strengthening the connections between workforce investments, economic development, and communities.

DEO's Office of Broadband was established in July 2020 to work with local and state government agencies, community organizations, and private businesses to increase the availability and effectiveness (adoption and use) of broadband Internet throughout the state, specifically in small and rural communities. Through these partnerships, Florida aspires to be a national leader in broadband Internet connectivity, infrastructure, and utilization to enhance workforce viability, education opportunities, and telehealth initiatives.

The 2021 Act outlines the state's lead role supporting broadband Internet expansion to all individuals and organizations:

The Legislature finds that the sustainable adoption of broadband Internet service is critical to the economic and business development of this state and is essential for all residents of this state, libraries, schools, colleges and universities, health care providers, and community organizations. (§ 288.9961(1), Fla. Stat.).

Use of the defined term "sustainable adoption" in the findings implies that while public support may be important in the short term, the ultimate goal is for providers to be able to encourage "adoption and use levels" that allow the services to be offered without government subsidies. (§ 288.9961(2)(e), Fla. Stat.).

Two impediments to deploying broadband Internet expansion should be noted. The state's actions alone cannot eliminate the following impediments:

1. Unserved and underserved areas are currently difficult to identify due to a lack of detailed data. To complicate matters, providers are continually scheduling, deploying, or modifying broadband Internet infrastructure projects so that no dataset will capture the status of a network perfectly. The complexities of provider deployment, lack of demand, and cost of deployment over time makes the designation of unserved and underserved areas moving targets. Furthermore, the crucial identification of unserved and underserved areas, based on federal definitions, which may be supported through the use of federal funds available when this Strategic Plan is developed, will be determined by the FCC. The FCC is expected to release its data and broadband Internet access maps in late 2022.³

³ The FCC is in the process of updating its current broadband Internet maps with more detailed information on the availability of fixed and mobile broadband Internet services. The Broadband Data Collection program will give the FCC, industry, state, local and Tribal government entities, and consumers the tools to improve the accuracy of existing maps. See Broadband Deployment Accuracy and Technological Availability Act (P.L. No. 116-130).

This FCC map may not be the final guidance on area eligibility as the federal government is supposed to establish a process by which individual states can challenge the FCC's data.

2. Federal statutory restrictions, in some instances, prevent use of funds from more than one federally funded, broadband Internet-related program in the same area. In addition to federal restrictions, Florida law prohibits the use of funding from the state's Broadband Opportunity Program in areas where federal funds have been awarded. (§ 288.9962(8)(a), Fla. Stat.). The interaction of federal and state laws may limit how funds can be used for infrastructure deployment.

Funding⁴

While maintainable, reliable adoption of broadband Internet service is the long-term goal, in some areas of the state, the cost of providing service is too high to be completely covered by customer charges—at least in the short term. The state has developed funding mechanisms and a plan to consider various federal funding streams with the goal of ensuring that broadband Internet services can be deployed in Florida communities. The state will consider other federal funds to support adoption and usage efforts and programs.

Each potential source of funding brings a set of guidelines that the Office of Broadband can utilize to create a robust program that interconnects separate funding sources to maximize the effectiveness of the whole. This should be done by leveraging each funding source into a primary focus and supporting activities. For example, the Capital Projects Fund may be best suited for projects directly strengthening the workforce by improving job training, community connectivity, and health and human services, while the Broadband Opportunity Program may be best suited to assist homeowners in last mile connectivity.

The Florida Legislature appropriated \$400 million from the General Revenue Fund for the Broadband Opportunity Program in Fiscal Year (FY) 2022-2023.

Funding in the amount of \$366 million is available to Florida through the U.S. Treasury's Capital Projects Fund. The Executive Office of the Governor, in coordination with the Florida Legislature, has discretion as to how this funding will be used. Some funding may be used for broadband Internet: "A key priority of this program is to make funding available for reliable, affordable broadband infrastructure and other digital connectivity technology projects." (United States Department of the Treasury, 2022, para. 3).

In addition to the above funding opportunities the United States Department of the Treasury (U.S. Treasury) and the National Telecommunications and Information Administration (NTIA) in the U.S.

⁴ Compiled at the time of drafting this Strategic Plan; information as of June 30, 2022.

Department of Commerce are two potential sources of funding via federal grants to the state. Several programs authorized by the 2021 Infrastructure Investment and Jobs Act (IIJA) are to be administered by NTIA. Other programs funded through IIJA appropriations and administered by other federal agencies include: the Affordable Connectivity Program by the FCC, the Broadband Loan Program, and the Reconnect Program by the U.S. Department of Agriculture.

Through the IIJA and NTIA, each applicable state will receive an initial \$100 million for the Broadband Equity, Access, and Deployment (BEAD) program, including \$5 million to support broadband Internet planning, building capacity in state broadband Internet offices, and outreach and coordination with local communities. The BEAD program will be the largest of the broadband Internet programs administered by NTIA. Priority for use of the funds is as follows:

1. Broadband Internet deployment in unserved locations (those below 25/3 Megabits per second or Mbps);⁵
2. Underserved locations (those below 100/20 Mbps); and
3. Community anchor institutions (school, library, health clinic, health center, hospital or other medical provider, public safety entity, institute of higher education, public housing organization, community support organization).

Each applicable state is required to submit a five-year action plan for the BEAD Program to the NTIA, which must be informed through a collaboration with local and regional entities. Funding to implement the action plan will be distributed based on a formula that considers the number of unserved and high-cost locations in the state, based on data displayed on maps to be published by the FCC in 2022.

These new federal programs add to long-standing broadband Internet funding programs developed and implemented by the FCC, such as the Connect America Fund (CAF) Phase II and Rural Digital Opportunity Fund (RDOF). These programs provide price discounts for low-income households, as well as funding for schools and libraries, to obtain broadband Internet and other advanced communications services; rural healthcare facilities to make broadband Internet more affordable; and primarily small broadband Internet providers in rural and high-cost areas.

⁵ Broadband speeds: Speeds are expressed with two numbers, separated by a diagonal line “/”, and a designation of the amount of data, such as “100/20 Mbps.” The first number represents the amount of data users receive. The second number represents the amount of data users can send. Mbps: Megabits per second refers to millions of bits of binary information—zeros and ones—that are passed in a second. Gbps: Gigabits per second refers to the number of bits in billions.

Broadband Internet Strategies for a Connected Economy

Introduction

Reliable broadband Internet access is necessary for economic development in a modern economy, and it is increasingly becoming as critical to basic infrastructure needs as roads, water and wastewater services, and energy. Broadband Internet plays a central role in business development, jobs, education, health, housing and other publicly-desired services, as it is the communities' connection to future economic growth. Current lack of broadband Internet contributes to the digital divide for entire communities, and the expansion of broadband represents a tremendous opportunity particularly for rural and underserved communities across the sunshine state, including the ability to grow and recruit businesses and generate high-quality and sustainable jobs. The 2021 Act addresses the need for broadband expansion to enable availability and increased useful adoption. There are some areas of the state where Internet Service Providers (ISPs) may be unable to provide service at this time because the revenue streams from consumers are insufficient to cover the costs of traditional infrastructure deployment, ongoing operations, and maintenance to ensure reliable connectivity. In other areas of the state, broadband may be available, but customer demand may be insufficient for providers to justify upgrading the infrastructure to higher speeds.

Likewise, there are areas of the state where broadband Internet services are available, but the public does not purchase them. The 2021 Act makes it clear that public subsidies are a temporary mechanism. The desired result of the state's public policy regarding broadband is "sustainable adoption" of broadband services by all Floridians. The 2021 Act defines "sustainable adoption" in a way that acknowledges the objective of providing broadband service without a subsidy.⁶ The need is to create resilient Florida communities free to thrive in a strong connected economy.

The 2021 Act created responsibilities at both the state and local levels to facilitate the expansion of broadband Internet service and help providers make the return on investment for sustainable adoption. At the state level, DEO is accountable as the lead agency to facilitate the expansion of broadband. (§ 288.9961(3), Fla. Stat.). The 2021 Act created a collaborative process between state and local communities. Through this initiative, the relationship between the state and local communities will vary depending on the goals, capabilities, and resources of each community. In some instances, local communities will take the initiative to identify unserved areas and take steps to expand broadband Internet infrastructure and service to those areas. In other instances, local communities may be less proactive, especially in fiscally constrained communities, and the state may have a more direct role in expansion initiatives. Thus, this Strategic Plan is based upon state and local entities' collaborative and complementary efforts.

⁶ Sustainable adoption: The ability for communications service providers to offer broadband Internet services in all areas of this state by encouraging adoption and use levels that allow for these services to be offered in the free market absent the need for governmental subsidy. (§ 288.9961(2)(e), Fla. Stat.).

The complementary but distinct roles of state and local entities described in the 2021 Act raise two fundamental questions: 1) What is the state’s role in providing broadband Internet service to the public?; and 2) What are the roles of local communities in providing broadband Internet service to the public? As you will see below, these are strategized in separate parts in Section I: Availability.

Organization Of The Strategies For Implementing This Strategic Plan

This strategic plan is presented in three sections that follow:

- I. Availability**
 - A. State Role in Availability**
 - B. Local Role in Availability**
- II. Adoption and Use**
- III. Accountability**

The state of Florida prioritizes the long-term resiliency and growth of each community and Florida as a whole; therefore, adoption without use will not meet the vision or intent of this Strategic Plan. It follows that steps two (adoption) and three (use) for creating a connected economy have been combined in Section II: Adoption and Use. It is vital for the state to create an accountable program to provide Floridians with opportunities to access education, telehealth, and workforce training and engagement through broadband Internet expansion. As such, accountability encompasses the third section of the strategies for implementing this plan, discussed in Section III: Accountability.

There are strategies and action steps suggested in each Section which, when considered together, will assist the state with accomplishing its goals of increasing the availability, adoption, and use of broadband Internet throughout the state.

- I. Availability**
 - A. State Role in Availability**

I.1. Develop local and regional partnerships to meet broadband Internet goals and coordinate with those partners to effectively use federal broadband Internet expansion funds in unserved and underserved areas

Strategy 1: Continue to build and engage Local Technology Planning Teams (LTPT) where possible. In areas where previously organized entities may be able to act as LTPTs, designate them as such if they are willing to take on the LTPT role.

Explanation: LTPTs were authorized by the 2021 Act to identify “current broadband availability, locate unserved and underserved [areas], identify assets relevant to broadband deployment, build partnerships with broadband service providers and identify opportunities to leverage assets and reduce barriers to the deployment of broadband Internet Services in the community.” (§ 288.9961(4)(b), Fla. Stat.). Specifically, this work is to be conducted with rural communities. The statutes’ focus on both the rural areas and the LTPTs’ work in “fiscally constrained” counties suggests that partnerships will help provide the capacity necessary to ensure successful broadband Internet projects.

Action Steps:

- a. Identify areas where LTPTs have not been formed and develop alternative means (such as surveys, direct outreach, or inclusion in a regional planning team) of engaging communities in the broadband Internet planning process.
- b. Through outreach, toolkit materials, and guidance, encourage the development of regional LTPTs, especially where neighboring counties have similar broadband Internet needs.
- c. Design and conduct workshops to train LTPTs to perform the necessary needs assessments, collect data, and plan for broadband Internet expansion in their communities.
- d. Publish and/or make available information about the development, progress, and best practices employed by LTPTs and other local entities to identify and create plans for addressing the broadband Internet needs of their respective communities.
- e. Encourage LTPTs and communities to engage in broadband internet service planning and document that engagement.

Strategy 2: Guide, encourage, and where necessary direct, local communities to coordinate infrastructure projects, such as roads and broadband Internet, to reduce overall costs.

Explanation: Ready infrastructure is the gateway to business growth and job creation. Maximizing the efficiency of the infrastructure preparation to increase the effectiveness of the infrastructure improvement, will lead to better opportunities to attract new businesses, enhance existing businesses, provide training to potential workforce, and deliver more methods for critical interconnectivity such as telemedicine.

Failure to coordinate planning for infrastructure projects could result in land or rights-of-way being dug up more than once when broadband Internet providers install fiber after lines and conduits have been installed as part of roadway construction projects. Such duplication of effort can be costly to the community in terms of traffic disruptions and reduced road life (Wilde et al., 2002).

Dig Once, involving coordination, has been identified by the U. S. Government Accountability Office as a means of reducing the overall cost of infrastructure installation with opportunities for joint trenching and sharing of overhead such as maintenance of traffic, staging construction activity, and restoration expenses (Fleming, 2012).

Action Step: From a state level of best practices and methods, ensure infrastructure construction and improvement activities are coordinated and reported to the Department. Guide, encourage, and if necessary, direct, local communities to coordinate infrastructure projects in overlapping physical areas regardless of municipal boundaries.

I.2. Collect, maintain, and analyze up-to-date, reliable, detailed data with which to identify unserved and underserved areas of the state

Strategy 3: Develop an ongoing program to enhance the state broadband Internet dataset. Leverage other broadband Internet data resources, including data collected by LTPTs and local and regional organizations. Ensure the Office of Broadband collects and maintains data through its grant activity.

Explanation: Continued coordination of LTPTs, as well as local and statewide workshops, will raise awareness of the importance of local involvement in the information-gathering process and of broadband Internet expansion constraints imposed by state and federal law. Obtaining the necessary data with which to identify unserved and underserved areas is key to meeting reliable and sustainable broadband Internet service needs of those areas. Local entities developing broadband Internet plans will be most effective in gathering necessary broadband Internet availability and use information from residents and businesses. Such information may be derived from surveys or other methods that will identify broadband Internet service gaps.

Data collected by LTPTs and other grant applicants can be provided to the Office of Broadband in local plans or grant applications for the Office of Broadband's use to support the allocation of federal and state funds to expand broadband Internet infrastructure and service.

The 2021 Act states that "the [strategic] plan must include a process to review and verify public input regarding transmission speeds and availability of broadband Internet service throughout this state." (§ 288.9961(4)(a), Fla. Stat.). Among the types of public input that might be relevant are crowdsourced data, commonly collected via online speed tests, such as the one on the Office of Broadband's website. The need for verification of crowdsourced data is supported by analyses that have shown online speed test results to understate availability and perhaps speeds (PURC, 2022). DEO's Office of Broadband should consider actively maintaining the publicly accessible speed test and map to capture real-time data

and display real-time improvement results, but utilize multiple data sources to verify reported speed test results and calibrate the data as necessary.

Action Steps:

- a. Conduct workshops for LTPTs and other regional groups to share best practices related to data collection and management.
- b. Provide technical assistance, guidance materials, toolkits, and coordination among LTPTs to facilitate sharing best practices to help LTPTs identify local broadband Internet service needs.
- c. Encourage LTPTs and regional organizations to conduct surveys and use survey responses to identify unserved and underserved areas.
- d. Assemble locally collected data submitted in local broadband Internet plans and grant applications.
- e. Review and verify the Florida crowdsourced⁷ and other publicly obtained data regarding broadband Internet availability in Florida to determine its validity and predictive power. Analyze such data in conjunction with data obtained from other public sources, including the FCC, the U.S. Census Bureau, Ookla, Microsoft, and the Technology Policy Institute.

I.3. Identify areas of data and methods by which data is used to facilitate and document service expansion plans

Strategy 4: Use data to identify areas at a more granular level where federal broadband Internet expansion funds have been used or will be used to ensure compliance with state and federal law and to identify unserved and underserved areas.

Explanation: Detailed data are needed to pinpoint the locations of unserved and underserved areas. Florida historically relied on FCC maps developed several years ago and annually updated. These maps tend to overstate broadband Internet connectivity because if one household has connectivity in a census block, the entire block is counted as having connectivity. In rural areas, a single census block could constitute many square miles (PURC, 2022).

The FCC is updating and expanding its mapping efforts, and information from the updated map will be used by the federal government to determine unserved and underserved areas for the purposes of some federal programs. However, states will be allowed to challenge the FCC's updated maps. To do so, Florida will need to gather and analyze accurate data

⁷ Crowdsourcing, in this context, is online collection of Internet speed data from Floridians who voluntarily take part in speed tests with their own Internet-accessible devices, such as personal computers, tablets, or smartphones.

and identify instances where the FCC's map appears to be flawed. Moreover, challenging FCC data may be necessary to maximize federal funds flowing to the state.

The same data required for the release of federal funds for broadband Internet expansion may be necessary to ensure compliance with state law and implement the Broadband Opportunity Program. The challenge process in state law, as well as the state's responsibility for appropriate use of federal and state funds for broadband Internet projects, will necessitate the collection of data going forward (§ 288.9962 (6)(c) (1-3), Fla. Stat.).

As noted previously, some unserved and underserved areas may not benefit from federal funding from the federal IJA (P.L. 117-58) for broadband Internet expansion and connectivity due to restrictions in DEO's Broadband Opportunity Program and possibly federal programs such as the FCC's Rural Digital Opportunity Fund (RDOF) and Connect America Fund II (CAF II) and the U.S. Department of Agriculture's ReConnect Loan and Grant Program.

Action Steps:

- a. Compile available information about areas that have broadband Internet service and areas that providers have committed to serve using federal broadband Internet expansion funds. In addition, collect the anticipated duration of any expansion commitments to the extent known.
- b. Develop a process to collect and monitor any such data at least annually.

Strategy 5: Develop and implement a method by which to acquire information about Internet service providers' broadband Internet expansion plans to understand where, how, and when various Internet service providers will initiate or improve service in unserved or underserved areas.

Explanation: An aspect of data gathering and management relates to information about where, how, and when various Internet service providers will initiate or improve service in unserved or underserved areas. However, providers may be reluctant to share information they consider to be competitively sensitive. Therefore, there will be an asymmetry of information between the Internet service providers and the state regarding the providers' commitment to service in specific areas. Efforts to obtain that information from providers could be a challenge.

Regular meetings between DEO's Office of Broadband and Internet service providers may facilitate information-sharing regarding expansion plans; however, the Office of Broadband, and providers that are direct grantees of the state, will need to exercise caution in participating in any such meetings to avoid a conflict of interest.

Action Steps:

- a. Have the Office of Broadband meet regularly with Internet service providers to learn about their observations regarding the viability of conducting business in unserved areas and upgrading service in underserved areas.
- b. Create legal pathways for sharing sensitive or confidential business information such as entering into data share agreements with providers, as necessary, to obtain more information about their not-yet-disclosed-commitments for expanding broadband Internet services.

I.4. The overarching economic challenge for making broadband Internet available

Strategy 6: Develop an approach to identify locations where sustainable broadband Internet expansion or improvement will not be economically feasible for providers in the foreseeable future due to low adoption levels or geographic barriers.

Explanation: Sustainable broadband Internet adoption is not currently feasible in some areas of the state because the costs of providing services in those areas exceed customers' willingness or ability to pay for the services. In these areas, there may be greater opportunities for alternative solutions⁸ to play a larger role in providing broadband Internet services.

Action Steps:

- a. Establish methods for leveraging state and local resources, including the map(s) on the Florida Office of Broadband website, to identify unserved and underserved areas in the state.
- b. Continue to collect and maintain information about unserved and underserved areas in the state's broadband Internet datasets.⁹
- c. Continue to engage with technology and equipment companies to understand the methods by which broadband Internet service may be provided to an area.
- d. Through the LTPT initiative, grant application process, and rulemaking, encourage planning efforts to maintain updated estimates on both the potential costs to provide service as well as the potentially available technologies to provide that service and what speeds this would bring to the areas.

⁸ See Appendix F, section VI, "Programs to Increase Broadband Access" for further information.

⁹ Discussion of datasets is included in the "Managing Data" section below.

I.5. Positioning to undertake statewide broadband improvement

Strategy 7: Evaluate all aspects of state and federal funding program requirements and determine the need for and best use of consultants to implement a grant-making process.

Explanation: DEO administers various grant programs, such as the Small Cities Community Development Block Grant and nearly \$2.5 billion through the Community Development Block Grant - Disaster Recovery and Community Development Block Grant - Mitigation programs through its Office of Long-Term Resiliency to facilitate recovery efforts in response to Hurricane Hermine and Matthew (2016), Hurricane Irma (2017), Hurricane Michael (2018), and Hurricane Sally (2020), as well as mitigation and resiliency efforts. DEO's experience with the administration of these programs will inform the development of broadband Internet expansion grant administration.

Additional specialized expertise may be required to implement a suitable grant administration process. Supplementing the state-level capacity with contracted services can help accomplish the tasks associated with this large funding project without making long-term staffing commitments, which may not be necessary.

Action Steps:

- a. Leverage capacity within DEO to design and manage grant processes that will meet the scope and requirements of the state and federal programs that fund the state's broadband Internet expansion.
- b. If third parties are needed, develop criteria for consultant selection and coordinate input into the process of selecting third parties to complete selection as quickly as possible. Depending on the projects for which third parties are needed, they will need to have the following requirements:
 1. Analytic skills such as mapping and data analysis (including take rates, affordability, etc.) necessary to identify where services are needed and how much it will cost to serve these areas;
 2. An understanding of cost analysis based on geographic and technology differences across the state and an understanding of the revenue needs of providers to derive estimates of funding necessary to ensure broadband Internet deployment in unserved and underserved areas;
 3. Knowledge of grant administration processes and management;
 4. Experience working in a number of states;
 5. Detailed knowledge of relevant federal funding programs and their requirements; and,
 6. Demonstrated ability to adhere to a complex timeline.

I.6. Implement grant development administration processes for providers

Strategy 8: Implement the most effective and efficient means of using broadband Internet grant funds to reach unserved and underserved areas and incorporate that approach into the grant processes for providers.¹⁰

Explanation: Grant qualification, evaluation, and application processes can present obstacles to providers and serve as a barrier to broadband Internet expansion. To attract the largest number of applications for broadband Internet grants, and therefore increase the possibility that unserved and underserved communities will be reached, the entry hurdles need to be streamlined without sacrificing robustness. That is, every step in the process must be designed to ensure that the most qualified applicants have the possibility of receiving project funding to provide broadband Internet service¹¹ to those communities in Florida which are the most needy. In terms of sequencing the use of grant programs, an option might be to award competitive grants for most of the state and establish a grant specifically for unserved areas within the state that have not yet received funding or any response to earlier competitive grant opportunities.

DEO's Office of Broadband should ensure the projects' grant applications are the best fit under the separate potential sources of funding to minimize challenges or hurdles posed with each project, as some funding opportunities will contain different constraints that may or may not readily fit within the existing project plan.

Action Steps:

- a. Develop an approach to attract multiple broadband Internet service providers as competitors for financial assistance to be used in unserved and underserved areas under state or local assistance programs.
- b. Analyze each state and federal funding stream to determine priorities for projects, restrictions on the use of funds, time limitations on the use of funds, and match requirements, along with any other stipulations.
- c. Create a plan for sequencing the use of state and federal funds that maximizes the amount of funding available to support broadband Internet projects in the least served areas of the state.
- d. Determine which of the various available competitive grant processes should be used for the purposes for which grants may be made under the state and federal program requirements.

¹⁰ Grant in this context, means the funding provided by the federal, state, or local government. Grant agreements take different forms including partial project funding (i.e., requiring a match) and are contracts between the granting entity and the grantee.

¹¹ Section 288.9961(2)(a), Florida Statutes. "Broadband Internet service" means a service that offers a connection to the Internet with a capacity for transmission at a consistent speed of at least 25 megabits per second downstream and 3 megabits per second upstream.

- e. Implement specific rounds of grant cycles targeted to meet identified community needs.

Strategy 9: In order to avoid situations where the lowest-bid proposal wins award without regard to likelihood of completion of project, long-term viability of service, or scalability of service for future proofing, design a competitive selection process in compliance with state and federal requirements that will enable DEO to identify the most suitable Internet service provider or providers to meet the broadband Internet needs of the unserved and underserved areas of the state.

Explanation:

An approach for selecting grantees could include:

- Developing rigorous standards for business experience, financial health, and technical expertise for entities seeking funding;
- Holding competitions for funding for multiple areas and, at the same time, allowing entities seeking funding to choose which areas they would seek to serve;
- Developing well-defined obligations for funding recipients and a uniform, objective scoring method for comparing offers;
- Holding multiple rounds of offers in which competitors seek to beat the offers of others; and
- Conditioning the release of funds on the successful completion and deployment of the required broadband services.

In addition to this process, there are other competitive funding mechanisms that may be used such as a Notice of Funding Availability, Funding Opportunity Announcement, or similar instrument. Other competitive grant award processes include those based on the merit of the proposal or application, for example – an assessment of the applicant’s ability to complete specified tasks within budget and time constraints.

Some competitive processes are better than others to identify the most effective bidder for a well-known project. Other processes may be better when the area’s needs cannot be articulated. The Office of Broadband should work with LTPTs to identify which processes are best suited for individual situations.

Action Steps:

- a. Develop and implement competitive processes to identify the recipient of financial support that is best able to meet the needs of unserved and underserved areas.
- b. Ensure that the competitive grant process accommodates proposals from providers to expand broadband Internet service in multiple unserved and underserved areas, where applicable.

- c. Establish grant eligibility and scoring criteria that incorporate an assessment of whether Floridians can access networks that are comparable on such dimensions as speed, latency, reliability, and functionality.
- d. Design and use application qualification criteria to ensure that grantees can and will complete the scope of work required.

Strategy 10: In the instance where an area failed to receive competitive bids and the state considers a process to target those unrepresented areas for award, design a negotiated provider-selection process in compliance with state and federal requirements for aspects of the broadband Internet expansion effort. Through this process the state may be able to ensure a particular area or type of area receives consideration for award. This process may be utilized in situations for which there was only a single bidder offering to deploy broadband Internet in an unserved and underserved area or for which there was no bidder.

Explanation: After funds have been allocated through the competitive grant process, there may be unserved and underserved areas for which no provider was identified. An alternative provider selection process may be required to ensure those areas are served under a broadband Internet expansion program.¹²

Action Steps:

- a. After competitive selection processes are completed, inventory those unserved areas where there was no acceptable competitive bid and that were not included in the service area of any grantee.
- b. Develop specifications for grantees to serve those areas in compliance with state and federal funding requirements.
- c. Negotiate with qualified applicants to provide services to the unserved areas.

I.7. Need for skilled and specialized workers a critical component of deployment of broadband Internet infrastructure projects

Strategy 11: Prepare the workforce for the jobs that will emerge from the national deployment of federal and state infrastructure projects to ensure continuity of operations.

Explanation: In addition to the need for construction and installation expertise for broadband Internet infrastructure projects all over the country, there will be an ongoing need for broadband Internet infrastructure maintenance after the grant funding ends. Florida is preparing, and must continue to prepare the Florida workforce to not only meet

¹² An example is North Carolina's Broadband Stop Gap Solutions Program, which is to be launched in late fall 2022, following awards from two other competitive grant programs. See The Broadband Stop Gap Solutions Program at NCDIT "Stop-Gap Grant."

the immediate construction needs but also undertake the long-term maintenance for continued reliability and growth. Workforce development planning and initiatives, which is a statewide function, will continue to be necessary to meet those needs.

In 2021, the Reimagining Education and Career Help (REACH) Act was unanimously passed by the Florida Legislature and signed into law by Governor DeSantis. The REACH Act provides a blueprint for bringing together the various workforce development partners into a coherent system that better serves job seekers and businesses and is accountable to the citizens of Florida. REACH partners include agencies and organizations that provide education and training, placement services and public assistance. (Executive Office of the Governor, Department of Economic Opportunity, Department of Education, Department of Children and Families, CareerSource Florida, and Enterprise Florida) The structure developed within the REACH Act will facilitate solutions to any skilled worker shortages and place Florida at a competitive edge against the emerging need for these skilled workers nationwide.

Action Steps:

- a. DEO will work with the REACH partners on an inventory of workforce development programs that prepare the state's workforce for jobs in broadband Internet-related infrastructure construction, telecommunications technology, and consumer technology industries.
- b. REACH partners will ensure that their work is aligned with Florida's Strategic Plan for Broadband and encourage workforce development agencies and educational institutions to train more students in technology-related fields and address the need for alternative and related skills to enable infrastructure installation and construction workers to transition to more stable positions.
- c. Maintain awareness and research of Florida's competitive edge as compared to other states and their progress in these programs. Look for best practices wherever available and engage with private industry whenever necessary to determine ways Florida can continue to meet this growing need.

“Unlike industries with infrastructure mostly built out, the Broadband Industry faces unique challenges due to the volume of new and upgraded infrastructure to be deployed. In many cases, Broadband Industry workers must be on-call, on the road, and face unpredictable (uneven) demand for their skills. In addition, where climate and weather limit deployment in certain seasons, affected Broadband Industry positions may have a stigma that they provide a lower level of ‘job security’ for some. Many Broadband Industry workers or potential workers might view the job security issue differently if alternative Industry career options, and upskilling and other training programs, were available during the periods when the peak demand is over.

Furthermore, many Industry positions, such as tower climbers, require working at heights. Many workers are not interested in the risk such jobs entail” (Broadband Infrastructure Deployment Job Skills and Training Opportunities Working Group, 2020, p. 10).

B. Local Role in Availability

I.8. Capacity for communities to effectively pursue federal and state funding opportunities to support broadband Internet expansion

Strategy 12: Continue to provide technical assistance based on community requests to assist with organizing LTPTs.

Explanation: Local entities often face challenges in assessing their broadband Internet availability, identifying unserved and underserved residents and businesses, identifying assets available to leverage federal funding, and filling out applications for federal broadband Internet funding. In addition, communities in Florida have little experience convening to pursue objectives for broadband Internet expansion. These objectives may include those community members who comprise LTPT membership: “libraries, K-12 education, colleges and universities, local health care providers, private businesses, community organizations, economic development organizations, local governments, tourism, parks and recreation, and agriculture.” (§ 288.9961(4)(b), Fla. Stat.).

Additionally, there are several programs under which broadband Internet expansion has been an allowable use and continues to be encouraged by the Department. Including the Rural Infrastructure Fund (RIF), the Community Development Block Grant (CDBG) and the Florida Job Growth Grant Fund. Other programs may have a broadband Internet component within an application. The RIF program currently allows for and encourages planning and technical assistance grants, the CDBG Small Cities grant will be undergoing rulemaking in first quarter of state fiscal year 2022-2023 to better align the scoring matrix to encourage planning and technical assistance grants.

The Broadband Planning Toolkit (Toolkit) provides fundamental resources and guidance using a nine-step planning process to help each LTPT identify the availability of broadband Internet services in its county or region. The Toolkit also provides a template for a community and business survey that should be updated to fit the team’s needs, circulated, collected, and provided to the Office of Broadband for statistical analysis vital to broadband Internet expansion.

In addition, LTPTs are provided with:

- Support from the Office of Broadband, including assistance with meeting facilitation and verification of speed test data.
- Contact information for other LTPTs around the state to share discussions and planning strategies.
- Links to planning resources, research, and other materials available on the Office of Broadband’s webpage. Available resources include maps, statewide survey results, the regional broadband Internet workshop summary and recordings, funding opportunities, and partnership information.
- A comprehensive broadband availability map from the NTIA.
- Guides on broadband Internet 101; Broadband planning processes; broadband planning inventories; strengths, weaknesses, opportunities, and challenges analysis; sample questions for meetings/discussions; and, community and business survey distribution practices (Florida Office of Broadband, 2022a).

The Toolkit for LTPTs names nine steps for a planning process and provides steps and a timeline for completing each one:

- Step 1 - Engage Stakeholders
- Step 2 - Assemble a Team
- Step 3 - Identify Community Priorities
- Step 4 - Harness the Data
- Step 5 - Consider Digital Inclusion
- Step 6 - Assess Resources and Infrastructure
- Step 7 - Engage Local Internet Service Providers
- Step 8 - Evaluate Solutions
- Step 9 - Develop & Execute Solutions (DEO, 2021)

The intended result from this effort is “diverse community industry sectors working together to develop measurable goals, objectives, and benchmarks that will keep Florida’s broadband adoption and expansion efforts on track at every level of government in subsequent years” (Florida Office of Broadband, 2022a).

Action Steps:

- a. Use the Toolkit and any other relevant training materials as the basis for educating and organizing LTPTs.
- b. Provide technical assistance on the use of the state’s broadband Internet availability map and other publicly available broadband Internet databases.
- c. Provide information about the strengths and weaknesses of various broadband Internet technologies so that local entities can make informed decisions about

the technologies or technology requirements that will best meet the needs of their unserved and underserved areas.

- d. Continue to implement an outreach and communication campaign to ensure that stakeholders across the state are aware of the local planning efforts underway.
- e. Continue to provide information on the Office of Broadband webpage about any technical assistance available through federal funding opportunities.
- f. Develop best practices and other resources for LTPTs to use to lower costs of providing broadband Internet service to unserved and underserved areas.
- g. Identify philanthropic organizations that could assist by providing technical assistance or funding to LTPTs or communities working to expand broadband Internet in their areas.

Strategy 13: Provide technical assistance to grant applicants that request such assistance.

Explanation: An experienced staff person or contractor with community needs assessment techniques and grant application preparation at the local government level could be engaged to provide technical assistance to ensure applicants are supported throughout the planning process.¹³

Action Steps:

- a. Determine which technical support needs can be provided either through staff or a contractor to ensure that all applicants' needs are met and that applicants are treated fairly.
- b. If technical assistance is outsourced, consider models such as those used by the Illinois and Minnesota broadband Internet offices for empowering local communities to identify unserved and underserved areas, identify needs for broadband Internet services, and assist in developing grant applications.
- c. If resources are available, provide opportunities to pursue planning grants such as under the Rural Infrastructure Fund or the Community Development Block Grant to each eligible local entity functioning as an LTPT. Such grants may be useful for local entities to obtain necessary technical expertise.

¹³ For example, the Benton Foundation and the Blandin Institute use the same individual to provide technical training to communities. With respect to the Benton Institute program in Illinois, 30 hours of expert consultation to facilitate community-driven broadband Internet planning is offered. The Blandin Institute similarly provides consultation to rural communities in Minnesota that are starting their planning for broadband Internet expansion. This consultation guides them through the steps in preparation for conducting a feasibility study and organizing for the subsequent steps. Communities get a 'grant' of up to 35 hours of the consultant's time (Blandin Foundation, 2022; Illinois Department of Commerce & Economic Opportunity, n.d.).

I.9. Attract providers to serve rural, low population density areas

Strategy 14: Develop an approach to increase communities' purchasing power by attracting multiple providers to deploy broadband Internet in rural, unserved, and underserved areas in those communities.

Explanation: Providing broadband Internet to low-population density rural areas may require government subsidies to offset provider costs, thus making service to rural customers commercially attractive. Individually, low-population density areas may be unable to attract interested providers due to the cost of developing proposals and high project risk relative to potential profits. However, when aggregated, they might be able to attract more than one provider. For local areas that aggregate their service needs, state contracts may be available through which to obtain the necessary services. The objective of aggregating or using state contracts would be to reduce procurement-related overhead costs to the local subdivisions and overall project costs.

This strategy may overcome two factors that might limit counties' success in engaging providers of broadband Internet service for unserved and underserved areas: 1. County-specific procurement processes that may include unique requirements related to areas where revenue potential is limited; and 2. Conducting the procurement process itself is a barrier for resource-limited rural counties.

Several rural counties have implemented procurement processes that include grants. A more expansive inventory of Florida county procurement efforts may reveal best practices that might be applicable more broadly.

Action Steps:

- a. Identify areas that are unable to attract a provider, but that when aggregated with other areas, might attract one or more providers.
- b. Facilitate local communities or regions to jointly determine the technical services needed for grant management.
- c. Select a vendor or vendors that will provide services to all participating communities or regions.
- d. Catalog best practices used by counties to procure broadband Internet services, paying special attention to practices used by counties with the lowest population density.
- e. Post best practices for procurement on DEO's website and periodically update them to be used as a resource for counties to promote broadband Internet expansion.
- f. Facilitate local communities or regions' in conducting business case studies to determine the economic feasibility of providing various scalable levels of broadband internet service.

I.10. Coordinate infrastructure installation projects

Strategy 15: Encourage local communities to coordinate infrastructure projects, such as roads and broadband Internet, to reduce overall costs.

Explanation: Failure to coordinate planning for infrastructure projects could result in land or rights of way being dug up more than once when broadband Internet providers install fiber after lines and conduits have been installed as part of roadway construction projects. Such duplication of effort can be costly to the community in terms of traffic disruptions and reduced road life (Wilde et al., 2002).

Dig Once, involving coordination, has been identified by the U. S. Government Accountability Office as a means of reducing the overall cost of infrastructure installation with opportunities for joint trenching and sharing of overhead such as maintenance of traffic, staging construction activity, and restoration expenses (Fleming, 2012).

A new rule authorizes federal highway projects to permit the sharing of conduit for that purpose (Federal Highway Administration, 2021). This same rule requires the state to designate a utility coordinator with responsibility for facilitating the broadband Internet infrastructure right-of-way efforts in the state.

Action Step: Readily provide information through toolkits, outreach, and website availability, about the use of “Dig Once Policies” defined in the Broadband Planning Toolkit as “the installation of accessible, buried conduits during various infrastructure projects to enable providers to affordably install fiber with ease by running it through available conduits at a later time” (DEO, 2021a, p. 25). Engage with state agencies such as the Florida Department of Transportation for best practices methods in planning infrastructure construction projects which co-locate resources, utilities, or services, disseminate this information to all interested parties, and make it available by request or conveniently online.

II. Adoption and Use

For broadband Internet providers to recover their investment in broadband Internet-related capital outlay over the long term, revenue streams from consumers must be adequate to offset costs. The provisions of the 2021 Act underscore the need for adoption as a means of sustaining broadband Internet services. The defined term “sustainable adoption” implies that while public financial support may be important in the short term, the end goal is for providers to be able to encourage “adoption and use levels” that allow services to be offered without government subsidies. (§ 288.9961(2)(e), Fla. Stat.).

The 2021 Act recognizes the importance of adoption of broadband Internet service by requiring the Office of Broadband to “encourage the use of broadband Internet service, especially in the rural, unserved, or underserved communities... through grant programs.” (§ 288.9961(4)(d), Fla. Stat.).

Furthermore, the Broadband Opportunity Program prioritizes the use of grant funding to spur adoption by actively promoting adoption, having wide support from the community, and providing access to broadband Internet service to the greatest number of households and businesses. (§ 288.9962(7)(a), Fla. Stat.).

ADOPTION occurs when consumers — residents or businesses — subscribe to high-speed Internet service. Digital literacy is the ability to use a variety of broadband-enabled devices for engagement in online services. Adoption and digital literacy strategies work hand in hand. The strategies for adoption involve identifying local barriers to broadband adoption and developing methods for overcoming them at the local level. These strategies also address the state facilitating, and assisting with, local efforts, including efforts to obtain funding. In addition, the strategies address methods to overcome the identified digital divide, ensure that anchor institutions obtain the broadband they need, and provide technical assistance to local communities.

It is difficult to predict the long-term availability of public subsidies supporting adoption of broadband Internet service. Large federal infusions of funding may be time limited, e.g., the emergency connectivity subsidy was extended to June 2023, but evidence shows that adoption challenges persist and may be difficult to overcome (Manlove & Whitacre, 2019a, 2019b; Perrin, 2021; Perrin & Atske, 2021; Vogels, 2021, 2021b). Therefore, organizations charged with stimulating demand for broadband Internet may need to be involved in adoption activities over the long term.

II.1. Bridging the adoption digital divide

Strategy 16: Expand policymakers’ and other stakeholders’ knowledge of ways to bridge the adoption digital divide between urban and rural communities.

“The shape of the digital divide is different in each community. Affordability, infrastructure, lack of devices or skills, and low awareness of the internet’s benefits can all be factors. To best respond to community needs, local leaders must have a complete picture of their current broadband landscape. Identifying gaps by conducting a needs assessment is the first step in creating effective solutions to close the digital divide” (De Leon & Sanchez, 2020).

Explanation: The existence of an urban-rural divide in broadband Internet availability and adoption is documented in *The Status of Broadband in Florida* report (PURC, 2022) that lays part of the foundation for this Strategic Plan.

Adoption is at the heart of Florida’s broadband Internet policies. “The sustainable adoption of broadband

Internet service is critical to the economic and business development of this state and is essential for all residents of this state, libraries, schools, colleges and universities, health care providers, and community organizations.” (§ 288.9961(1), Fla. Stat.).

Yet, the challenge of spurring broadband Internet adoption and meaningful use has persisted for decades. In some instances, availability has been a primary barrier to adoption. In other instances, the cost of connectivity and end-user devices will continue to affect some segments of the population, and, in many instances, potential customers have not seen the value of adopting broadband Internet, regardless of the price.

The mechanisms that might spur adoption are currently not yet fully understood, making it difficult to identify precisely the most effective actions at either the state or local level (Beard et al., 2022). Discussions during Office of Broadband workshops conducted in early 2021 pointed to reliability being more of a barrier than cost (DEO, 2021b). Barriers to adoption must be identified and understood to craft the appropriate public sector responses. The use of broadband Internet services for addressing peoples’ needs with respect to job training, the workplace, education, health and housing has been impeded by limitations with respect to end-user technology.

Action Steps:

- a. Identify gaps in broadband Internet adoption that may not be filled absent financial assistance to consumers.
- b. Identify broadband Internet adoption gaps that will persist despite there being adequate financial assistance.
- c. Identify and publicize best practices for providing information about and availability of needed financial assistance for broadband Internet adoption

- through cooperation with and partnerships between providers, government, and regional leaders, with emphasis on unserved and underserved communities.
- d. Collaborate with providers on studies of why some potential broadband Internet customers choose to not purchase the service for reasons other than affordability.
 - e. Provide guidance, coordination, and support for LTPTs and other regional entities as they establish goals for broadband Internet adoption in their respective communities to ensure that the needs of all communities and residents within those communities are considered, including the need for appropriate end-user technology.
 - f. Use relevant data from state and national sources to identify where adoption lags state averages.
 - g. Utilize public speed-testing (crowdsourcing) and other techniques to identify unserved and underserved locations.

Strategy 17: Assemble and analyze information gathered by Internet Service Providers, LTPTs, and other regional entities to identify gaps in adoption. Overlay these identified areas with other state data indicating economic and community development indicators to determine potential correlation and use this analysis to better refine knowledge of gaps in adoption and meaningful use of broadband internet service.

Explanation: Whenever possible the Office should work with all relevant stakeholders to maximize usage of gathered data. Leveraging multiple sources of data will strengthen the statewide perspective of the Department. Placing particular emphasis on determining gaps in Broadband adoption and the related data source showing that gap can help identify both areas of need and potential correlations to reasons those areas remain of need.

Action Steps:

- a. Collaborate with broadband Internet providers in studies of customer use and potential customers' reasons for non-adoption.
- b. Provide technical assistance to LTPTs and other local and regional organizations with designing and conducting surveys of end residents and businesses in various settings such as educational institutions, libraries, community centers, senior centers and other venues to find out more about their use of broadband Internet services to ensure that community surveys collect sufficient demographic data to make results useful.
- c. Analyze data collected at the local level to identify statewide patterns and use findings as the basis for further training and technical assistance for LTPTs and other regional entities, including schools and libraries supporting broadband Internet adoption.

II.2. Insufficient local technical support may limit adoption of broadband Internet-supported services

Strategy 18: Prepare people for emerging information technology jobs and business opportunities and identify ways of using existing positions or volunteers to meet increased end-user needs related to adoption and use of broadband Internet services.

Explanation: This strategy is related to strategy 10: *Prepare the workforce for the jobs that will emerge from the federal infrastructure programs*. As broadband Internet becomes more available across the state, additional opportunities for business creation and expansion, as well as a growing need for skilled workers to provide end-users with technology support and to improve the use of digital content or digital literacy, may become available.

Citizens and businesses without access to technical support may need assistance in keeping software and hardware safe, secure, and up to date (e.g., updates, security patches, use of antivirus applications and VPNs, especially for education and medical applications, but also for job searches and for submitting taxes and other interactions with government agencies). The U.S. Bureau of Labor Statistics estimates published in 2021, show that there were approximately 42,000 employees in computer support technical positions in Florida. Those data also show that in many areas of Florida, especially non-metropolitan areas, employment of people in support specialist positions is below the national average (United States Bureau of Labor Statistics, 2021).

Support for end-users can come from community members who are not exclusively dedicated to computer technology support. Positions in existing businesses and organizations may be repurposed to provide assistance to residents with technology and application questions. An example is the Digital Navigator Grant Program in Illinois where Digital Navigators¹⁴ assist community organizations and residents with digital literacy skills (Illinois Department of Commerce & Economic Opportunity, n.d.).

Action Steps:

- a. Inventory workforce development programs that prepare people for jobs in information technology and consumer technology occupations.
- b. Develop programs that recognize achievements in information technology workforce and business development. Recognition could range from verbally during coordination opportunities to formal certificate of recognition award programs.

¹⁴ “Digital navigators are trusted guides who assist community members in internet adoption and the use of computing devices. Digital navigation services include ongoing assistance with affordable internet access, device acquisition, technical skills, and application support” (NDIA, n.d.).

- c. Work directly with workforce development agencies and educational institutions to increase the number of technology-trained individuals in the workforce with a focus on workforce and training provisions related to the use of federal funds.
- d. Work with LTPTs and other local organizations to identify opportunities to develop “digital navigators” who could provide technical support to end-users.

II.3. Coordinate funding programs with components meant to address adoption and use of broadband internet service.

Strategy 19: Focus at least a portion of state-level digital equity grant administration efforts on broadband Internet education and training programs, raising awareness of broadband Internet-based applications, and providing equipment to schools, libraries, colleges and universities, healthcare points of access, housing providers, and community support organizations to assist with digital literacy efforts.

Explanation: The monitoring effort directed toward optimizing the use of digital literacy funds should include functions that both evaluate and track any new money coming into the state and measure effectiveness in increasing broadband Internet adoption.

In terms of digital literacy funds that are known to be available, the NTIA has made \$2.75 billion available nationwide for three Digital Equity Act Programs. Those funds are to be used to “ensure that all individuals and communities have the opportunity to acquire the same skills, technology, and capacity needed to engage in the Nation’s digital economy” (NTIA, 2022b, para. 7). For grant application purposes, state and local datasets should include demographic information that federal agencies will seek, such as the racial or ethnic characteristics of the people surveyed and residence information with which to identify whether they live in urban or rural areas.

While further guidance is forthcoming, at this time, funds available through the Digital Equity Act will be allocated as follows:

- State Digital Equity Planning Grant Program, to be used by states and territories to create digital equity plans. (Planning only).
- State Digital Equity Capacity Grant Program, to be used by states and territories for implementing digital equity projects and support for implementing digital equity plans. (Planning and Implementation).
- Digital Equity Competitive Grant Program to implement digital equity projects. (Implementation).

The Planning Grant and Capacity Grant program funds will be allocated to the states through a formula.

Action Steps:

- a. Assess methods to utilize information and the needs for information from the LTPTs or other local entities. Utilize any information collected by LTPTs and other local entities about the need for programs that will encourage broadband Internet service adoption and use.
- b. Encourage LTPTs and other local entities to collect and provide to the Office of Broadband datasets that can be used to identify the broadband Internet adoption needs of those who are low income, incarcerated, elderly, and veterans. In addition, such local datasets should include information about the broadband Internet adoption needs of individuals with limited English language proficiency and persons with disabilities.
- c. Dependent upon staffing and resources available at DEO, work with LTPTs and regional entities to coordinate securing grants for local digital equity programs.
- d. Dependent upon staffing and resources available at DEO, provide technical assistance to entities working to reduce the digital divide to help them maximize funding for their programs.
- e. Directly coordinate with state agencies through the broadband coordination efforts as well as the Rural Economic Development Initiative to assist rural communities by waiving financial match requirements to the extent allowed by law (if a match requirement is determined to be a barrier to the local unit).
- f. Work with philanthropic organizations to encourage them to contribute funding for ongoing adoption-related efforts.
- g. Position the state to maximize funding available for adoption:
 - Identify and monitor potential public and private funding sources for broadband Internet adoption projects.
 - Establish a portfolio of documents frequently required for state and local grant applications to prepare for submissions.
 - Work with local communities and Internet service providers to identify a means of lowering the cost of broadband Internet service plans through the coordination of various support mechanisms.

II.4. Ongoing state-specific, adoption-related data collection

Strategy 20: Develop processes for the ongoing collection of data with which to identify emerging barriers to sustainable broadband Internet adoption in rural, unserved, and underserved communities.

Explanation: No ongoing data collection funding is currently provided by the state beyond the initial data/mapping that is to be completed by June 30, 2022. The U.S. Census Bureau's American Community Survey collects data on household adoption, but the data is high-level, aggregated, and collected from a small sample. The Pew Research Center also reports on broadband Internet adoption, but the reports are not state-specific. The Technology Policy Institute, which uses all publicly available data on its website, has information about Florida.

Action Steps:

- a. Collaborate with the NTIA, FCC, and other states to analyze and collect data that identify where broadband Internet adoption is absent or inadequate, what customers find most valuable about broadband Internet services, and why potential customers are not buying broadband Internet services. This collaborative effort should include the evaluation of the performance of broadband Internet programs and subsidies that the federal government and states are creating and implementing.
- b. Implement a system for informing Floridians of opportunities to continue contributing information about their broadband Internet service and use through the Office of Broadband's website, as well as partnerships with other entities.
- c. Structure the state's data collection efforts related to broadband Internet adoption to meet the requirements of the various federal funding programs and to meet the state's need for data with which to evaluate those programs.

III. Accountability

Introduction: Accountability means ensuring each grant award and activity delivers results in business growth, job growth, workforce education and job training, healthier Floridians, and workforce housing. These results are what make a connected economy effective and enhance the communities of Florida and the lives of Floridians.

Accountability must be built into the process of developing grant programs from the beginning, along with procedures for oversight of grantees. That approach should reduce

the risk of grantees not fulfilling their obligations and increase the likelihood that unserved and underserved areas will be provided with sustainable broadband Internet services on a timely basis. The need for accountability also requires mechanisms in grant agreements for imposing binding penalties for grantee non-compliance or non-performance.

Two types of accountability requirements are framed in state law, and they are intended to inform different audiences. In the first type, requirements are included expressly in statute. In the context of the 2021 Act, the Office of Broadband is responsible for keeping the Governor, the Legislature, and the public informed about activities undertaken pursuant to the 2021 Act. (§ 288.9962(10), Fla. Stat.).

The second type of accountability applies to grantees and will be established in the Department's rules and grant development procedures. In the context of the 2021 Act, DEO is to promulgate rules and address accountability in grant agreements, including conditions of performance and mechanisms for imposing binding penalties for grantee noncompliance or nonperformance. In addition, federal funding programs for broadband Internet expansion, adoption, and related work may come with additional accountability requirements.

III.1. Appropriate methods and capacity to ensure that the state's broadband Internet goals are met by grant recipients

Strategy 21: Ensure the goals of this Strategic Plan – enhancing Business and Job Growth, Workforce Housing, Education, and Job Training, and Healthier Floridians – are being achieved as a result of the Program's activities.

Explanation: This Strategic Plan guides the state in implementing the Office of Broadband and its mission. Compliance with this Strategic Plan is a requirement for grant applicants. The underlying purpose to the Office of Broadband's activities to reduce unserved and underserved areas and increase connectivity is to achieve the results of enhancing Business and Job Growth, Workforce Housing, Education, and Job Training, and Healthier Floridians.

Action Steps:

- a. Actively design data collection and reporting methods for the Program and grant recipient agreements to report responsive data regarding completion of the goals listed above.
- b. Design internal procedures and methods to collect, track, and report on data collected under above action step a.

Strategy 22: Develop robust contracts and funding requirements that ensure grant recipients have clear, measurable service commitments to promote accountability.

Explanation: Clear, measurable commitments will ensure accountability and transparency in the spending of public funds and through the contracting process between the state and other entities. Confirming accountability is a foundational component of planning and implementing a rigorous program that will benefit the citizens and communities of Florida as that accountability sets grantees up for successful sustainable projects.

Action Steps:

- a. Determine which accountability mechanisms and requirements are best suited to being disseminated as agency rules and which are best suited for inclusion in grant agreements, and develop rules and contracts/grant agreements accordingly.
- b. Develop and utilize grant funding agreement instruments that include provisions for recipients, providing specific and verifiable data needed to ensure that they are meeting their commitments.
- c. Establish grant criteria that include deadlines for the installation of infrastructure to ensure that customers have a usable service within time limits established by law.
- d. Incorporate incentives for recipients to fulfill their commitments, including commitments to provide required data. For example, receipt of funding could be conditioned upon fulfillment of commitments. Alternatively, in situations where funding is provided before performance, impose binding financial penalties for failure to fulfill the requirement.
- e. Ensure that grant criteria recognizes and rewards collaboration at the local level that will spur economic and workforce development, job creation, and overall quality of life for residents and visitors.

Strategy 23: Make receipt of funding contingent upon fulfilling reporting requirements and commitments.

Explanation: To determine whether grant funding programs have achieved the articulated goals, absent independent sources of information, the grant development administration processes must include a means of obtaining the necessary data. That is to say, accountability for the use of public funds must be built into the process from the beginning. Potential grantees must be vetted through a rigorous review process to ensure that, if selected, the awardee will have the capacity to complete the project on time and within budget.

Grant applications should include sufficiently detailed data, aggregated and anonymized appropriately, that is useful for the Office of Broadband's planning efforts as well as for evaluation of the service area proposed for the funded project. The funding application

scoring system must include weighting factors that will result in selection of grantees most likely to achieve the specific program goals. The Office of Broadband must have sufficient contract management expertise to monitor providers' progress toward fulfillment of grant requirements during and upon completion of projects. Such monitoring needs include field verification of work in progress and upon completion. Agreements need to include provisions for regular reporting to the Office of Broadband of data necessary to track project progress and evaluate the extent to which identified goals are met as a result of the project.

Action Steps:

- a. Base grant funding on accomplishment of measurable objectives within a specified timeframe, such as the number of households able to adopt service by the end of 2023, the number that do adopt service, and the quality of the service at the time of adoption.
- b. Monitor grant recipient performance against those objectives.

III.2. State-level coordination among state agencies using federal funds for broadband Internet expansion activities.

Strategy 24: Enhance state-level capacity to implement broadband Internet expansion and adoption through program governance and agency structure.

Explanation: Federal and state funds for broadband Internet expansion are or will become available to the private sector, several state agencies, and counties, cities, and anchor institutions. The existence of a variety of funding streams raises the risk of a lack of coordination in optimizing the use of these funds. With such a critical component of community development, any risk of a lack of coordination can prove inefficient.

Action Steps:

- a. With DEO as lead, establish routine communication between DEO and representatives from the Florida Department of Education, Florida Department of Transportation, Florida Department of State, Florida Department of Management Services, Florida Public Service Commission, Florida Department of Health, Florida Department of Children and Families, Florida Department of Environmental Protection, Florida Department of Agriculture and Consumer Services, Florida's REACH Office, and other state agencies involved with developing state infrastructure or applications that rely upon broadband Internet technology. The 2021 Act directs DEO to "work collaboratively with private businesses and receive staffing support and other resources from Enterprise Florida," among other entities. (§ 288.9961(3), Fla. Stat.).

- b. Clearly identify roles for all agencies involved in the expansion and adoption of broadband Internet as well as the program(s) within each agency that have overlapping interests regarding broadband Internet, including what data sharing should be regularly conducted.
- c. Share ideas about how to best enable Floridians in rural areas to make use of broadband Internet applications such as telemedicine, e-learning, and telework as well as broadband Internet related funding opportunities.
- d. Collaborate with other agencies to engage with and/or advise the Office of Broadband on key decisions and activities within their purview, including public investments and project prioritization, that directly or indirectly impact broadband Internet services.
- e. Conduct an annual meeting with ISPs, LTPTs, and stakeholders to examine and gain perspectives on the state's progress toward expanding sustainable adoption in unserved and underserved areas.
- f. Share information with the Office of Broadband on federal programs that may inform or affect its activities.
- g. Jointly monitor relevant federal proceedings.

Strategy 25: Ensure state programmatic framework considers and adapts from other recent programs to avoid pitfalls and achieve efficiency in state program effectiveness.

Explanation: Federal and state funds for broadband Internet expansion have been utilized across the country (and world) under various broadband Internet-related programs. These programs have had many different methods to achieve the same underlying purpose: enhance availability and use of broadband Internet services. Over time, some methods of programs have appeared to have achieved more effective results. See Appendix F, Literature Review, particularly in Section VI, Programs to Increase Broadband Access, for further detailed information and study. Different market conditions play a role in the effectiveness of a broadband Internet program, and many of these conditions operate as barriers to entry. As Florida enhances the state broadband program(s), it is critical the state does so with deliberate planning and intentional goals to maximize the effectiveness of the grant programs as a whole and ensure these program efforts are undertaken accountably.

Action Steps:

- a. Actively weigh program methodology options such as Facilities-Based Competition¹⁵ versus Services-Based Competition¹⁶ or Municipal Provision,¹⁷

¹⁵ The term facilities-based (or infrastructure-based, or inter-platform) competition is used in the telecommunications industry to describe competition between providers of the same or similar services where the service is delivered by different or proprietary means or network.

¹⁶ Service-based (or intra-platform) competition refers to when new entrants compete with incumbents by leasing facilities such as local access networks from incumbents.

¹⁷ Municipal broadband Internet provision is broadband Internet access provided by local governments.

particularly under the circumstances where studies and programs have demonstrated the conditions under which Facilities-Based Competition far outperforms Services-Based Competition for effectiveness in providing new broadband Internet availability and use.

- b. In public rulemaking, seek public input on these different methodologies and incorporate as appropriate.
- c. With the LTPT, actively lead discussion and research of these different methodologies.
- d. Continue to monitor relevant federal and other state programs' implementation and successes.
- e. Actively build upon this Strategic Plan and the legislatively-required biennial updates with any new studies, program successes, program pitfalls, or known aspects of effectiveness, to continue to advance broadband Internet in the state of Florida.

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Glossary

2021 Act: See the Glossary entry for Florida Broadband Deployment Act of 2021.

Adoption: The subscription of consumers — residents or businesses — to high-speed Internet service.

Anchor institutions or community anchor institutions: Industrial, commercial and office park worksites, schools, libraries, medical and healthcare points of access, housing providers, public safety entities, institutes of higher education, and other community support organizations that provide outreach, access, equipment, and support services to facilitate greater use of broadband Internet service by the entire population and local governments (National Telecommunications and Information Administration [NTIA], 2022).

Availability: Whether or not an internet connection point exists and in what manner. A precondition for connecting to the Internet, but the availability of a connection alone does not guarantee Internet use, nor sufficiency of the internet available.

Broadband: High-speed Internet access.

Broadband Internet service (sometimes referred to as “broadband service”): A service that offers a connection to the Internet with a capacity for transmission at a consistent speed of at least 25 megabits per second downstream and 3 megabits per second upstream. (§ 288.9961(2)(a), Fla. Stat. and § 288.9963(2)(b), Fla. Stat.).

Broadband speeds: Speeds expressed with two numbers separated by a diagonal line “/” and a designation of the amount of data, such as “100/20 Mbps.” The first number represents the amount of data users receive (download), and the second number represents the amount of data users can send (upload).

Mbps: Megabits per second refers to millions of bits of binary information—zeros and ones—that are passed in a second.

Gbps: Gigabits per second refers to the number of bits in billions.

Crowdsourcing: The online collection of data. In this document, specifically Internet speed data.

Digital divide: The gap between people who have access to broadband services, have adopted it, and know how to use digital content (digital literacy) and those who do not.

Digital equity: The condition in which individuals and communities have the information technology capacity needed for full participation in the society and economy of the United States (Infrastructure Investment and Jobs Act, Title III, Digital Equity Act of 2021).

Digital literacy: The ability to use a variety of broadband Internet-enabled devices to engage in online services. One formal definition is “[t]he ability to leverage current technologies, such as smartphones and laptops, and Internet access to perform research, create content and interact with the world” (NTIA, 2016, p. 5).

Download: To copy (data) from one computer system to another, typically over the Internet.

Florida Broadband Deployment Act of 2021 “2021 Act”: Ch. 24, 2021 Fla. Laws, codified at §§ 288.9961-288.9963, Fla. Stat.

Funding Opportunity Announcement: A document used by federal agencies to announce the availability of grant funds to the public.

Gbps: Gigabits per second refers to the number of bits in billions.

Grant: The funding provided by the federal, state, or local government. Grant agreements take different forms, including partial project funding (i.e., requiring a match), and are contracts between the granting entity and the grantee.

Last Mile: The final leg of a network that provides service to the home, business, or community institution.

Local Technology Planning Team: Local teams built and facilitated by the Office of Broadband and composed of members representing cross-sections of the communities in which they are formed. Local Technology Planning Teams (LTPTs) work with rural communities to help them understand their current broadband Internet availability, locate unserved and underserved businesses and residents, identify assets relevant to broadband Internet deployment, build partnerships with broadband Internet service providers, and identify opportunities to leverage assets and reduce barriers to the deployment of broadband Internet service in the community. LTPTs must be proactive in fiscally constrained counties in identifying and providing assistance with applying for federal grants for broadband Internet service.

Middle Mile: The middle mile is the physical mid-section of the infrastructure required to enable internet connectivity for homes, businesses, and community institutions. The middle mile is made up of high-capacity fiber lines that carry large amounts of data at high speeds over long distances between local networks and global internet networks.

Mbps: Megabits per second refers to millions of bits of binary information — zeros and ones — that are passed in a second.

Notice of Funding Availability: Also referred to as a Notice of Funding Opportunity (NOFO), is the document used by federal agencies to announce the availability of grant funds to the public.

Office of Broadband: The Florida Office of Broadband established within the Division of Community Development in the Department of Economic Opportunity in 2020. (§ 288.9961(4), Fla. Stat.).

Premises Passed: the number of end user locations, residential homes or otherwise, passed when installing fiber technology.

Request for Quotes: An oral, electronic, or written request for written pricing or services information from a state term contract vendor for commodities or contractual services available on a state term contract from that vendor. (§ 287.012(24), Fla. Stat.).

Request for Proposal (RFP): A written or electronically posted solicitation for competitive sealed proposals. (§ 287.012(23), Fla. Stat.).

Sustainable adoption: The ability for communications service providers to offer broadband Internet services in all areas of this state by encouraging adoption and use levels that allow for these services to be offered in the free market absent the need for governmental subsidy. (§ 288.9961(2)(e), Fla. Stat.).

Underserved: A geographic area of this state in which there is no provider of broadband Internet service that offers a connection to the Internet with a capacity for transmission at a consistent speed of at least 100 megabits per second downstream and at least 10 megabits per second upstream. (§ 288.9961(2)(f), Fla. Stat.).

Unserviced: 1. A geographic area of Florida in which there is no provider of broadband Internet service. (§ 288.9961(2)(g), Fla. Stat.); or 2. In the context of Attachment of Broadband Facilities to municipal electric poles, no retail access to the Internet at speeds of at least 10 megabits per second for downloading and 1 megabit per second for uploading. (§ 288.9963(e), Fla. Stat.).

Upload: To transfer (data) from one computer to another, typically over to one that is larger or remote from the user or functioning as a server.

Acronyms and Abbreviations

ADSL – Asymmetric Digital Subscriber Line

BEAD – Broadband Equity, Access, and Deployment

BIP – Broadband Initiatives Program

BTOP – Broadband Technology Opportunities Program

CAF – Connect America Fund

CBRS – Citizens Broadband Radio Service

CLEC – Competitive Local Exchange Carriers

CPF – Capital Projects Fund

CTC – Community Technology Centers

DBO – Design-Build-Own

DEO – Department of Economic Opportunity

DOCSIS – Data Over Cable Service Interface Specifications

DSL – Digital Subscriber Line

FCC – Federal Communications Commission

Gbps – Gigabits per second

HFC – Hybrid Fiber-Coax

IIJA – Infrastructure Investment and Jobs Act

IOU – Investor-owned utility

ISP – Internet service provider

LTPT – Local Technology Planning Team

Mbps – Megabits per second

NTIA – National Telecommunications and Information Administration

PCC – Public Computer Centers

PSC – Florida Public Service Commission

PURC – Public Utility Research Center in the Warrington College of Business of the University of Florida

RAO – Rural Areas of Opportunity

RDOF – Rural Digital Opportunity Fund

REC – Rural electric cooperative

RFP – Request for Proposal

WISP – Wireless Internet Service Provider

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Appendix A

Areas for Further Research

PURC identified two policy topics that may impact the implementation of this Strategic Plan and achievement of the goals of the Broadband Deployment Act of 2021 (“2021 Act”; Ch. 24, 2021 Fla. Laws, codified at §§ 288.9961-288.9963, Fla. Stat), but for which further research is needed. Analysis of the impact of existing policies and potential policy changes will be required to ascertain whether Florida law in these should be changed to support efforts undertaken to implement the 2021 Act. Those policy areas are:

- I. Pole Attachments
- II. Suggested Further Action For Pole Attachments
- III. Municipal Broadband Internet
- IV. Suggested Further Action For Municipal Broadband Internet

Each is discussed briefly in the sections that follow.

I. Pole Attachments

Pole attachment prices. Florida Statutes provide that “a broadband provider shall receive a promotional rate of \$1 per wireline attachment per pole per year for any new attachment necessary to make broadband service available to an unserved or underserved end user within a municipal electric utility service territory for the time period specified in this subsection.” (§ 288.9963(3), Fla. Stat. (2021)). Otherwise, municipal utility pole attachment prices are unregulated in Florida, except by their city boards or other governmental bodies. Pole attachment prices for rural electric co-ops are also unregulated, except by their co-op boards.

Regarding prices charged for pole attachments, the questions for policymakers are:

- What do research findings suggest with respect to the impact of unregulated pole attachment prices on broadband Internet deployment?
- What does research suggest about the impact of the regulatory framework on such prices?

Mode of regulation. In response to the first question, there appear to be no studies finding a statistically significant connection between unregulated pole attachment prices and rural broadband deployment, and there appears to be no research on whether such prices create barriers to entry. At the time of writing, the rural co-ops themselves do not appear to be developing broadband businesses, and existing pole attachment rates will be a cost for broadband providers to do business. Furthermore, as is described in the next section titled “Municipal Broadband,” municipalities are only rarely involved in providing broadband services in Florida. As such, the attachment prices will be included in the amount of subsidy providers demand for deploying services in rural areas.

In response to the second question, broadband providers bear certain costs for attaching broadband equipment to existing poles, and those costs are passed on to their retail customers. The hypothesis here is that the cost to customers may be affected by the mode of regulation. Utilities are regulated in different manners depending on whether they are investor-owned utilities (IOUs), co-ops, or municipal utilities. The IOUs are rate regulated in Florida by the Florida Public Service Commission (PSC), rural electric cooperatives (RECs) are rate regulated by their boards, and municipal utilities are rate regulated by their respective city commissions.

At least one study appeared to find a difference in the impact depending upon type of regulation. Connolly (2019) found that prices paid to IOUs are about 56 percent lower than prices paid to co-ops and about 54 percent lower than prices paid to municipally owned electric utilities on a nationwide basis. Connolly found that co-op pole attachment prices are about 31 percent lower in states that regulate the prices. Connolly also found the average price difference between co-ops and IOUs is about 60 percent in Florida. If this nationwide difference, on a percent average basis, were applied to Florida, co-op pole attachment prices would be about \$6.30 per pole per year lower than the \$20.64 price Connolly found for Florida co-ops.

Connolly (2019) is but one study, however, so one cannot draw any definitive conclusion that the type of rate regulation, as it applies to broadband equipment attachment on existing poles, affects rates paid by retail customers. Connolly falls short of estimating effects on broadband deployment or retail broadband prices.

In some instances, broadband providers have struggled to obtain clear information from rural electric co-ops on pole availability. The challenge is more about the processes of obtaining the information and not a lack of cooperation from the co-ops. Broadband Internet providers appeared to be unaware that the PSC gathers extensive information on poles as part of its work on storm hardening and storm preparedness.

II. Suggested Further Action For Pole Attachments

Monitor availability and prices of pole attachments for broadband deployment.

1. Work with the PSC to make available to broadband Internet providers information on utility poles that the PSC collects as part of its storm hardening and storm preparedness processes.
2. Monitor pole attachment prices charged by municipalities and RECs and, if the prices appear to rise faster than prices for IOUs, or if the municipal or REC prices appear to result in less competition for broadband financial support in municipally-served or coop-served rural areas relative to IOU-served rural areas, conduct an analysis on the effects on broadband and identify appropriate policy responses.
3. Monitor pole attachment progress to determine whether pole replacement costs are hindering broadband development.

Florida pole replacement legislation. It is worth noting that the issue of pole replacement costs was considered by, but did not pass, the 2022 Florida Legislature in the form of SB 1800. If passed, the bill would have created the Broadband Pole Replacement Program to be administered by DEO's Office of Broadband. The program would provide reimbursement to eligible broadband Internet providers for costs they incur when removing and replacing utility poles in unserved areas. The bill would have taken effect July 1, 2022 (The Professional Staff of the Committee on Appropriations, 2022). The *Bill Analysis and Fiscal Impact Statement* contains a summary of the issues and background including information about current pole replacement laws in Florida and the federal broadband Internet infrastructure funds. That document is accessible from the Florida Senate website.

III. Municipal Broadband

PURC Discussion: Florida Statutes effectively prohibit municipalities from providing broadband services unless a private provider is unwilling to serve the area in question. (§§ 125.421, 166.047, 196.012, 199.183, 212.08, and 350.81, Fla. Stat.). As a result, municipalities are rarely involved in providing broadband Internet services in Florida. There are important reasons for restricting a government from competing against private businesses, but some evidence suggests that different restriction policies might improve broadband Internet adoption.

The research findings below suggest that municipal provision of broadband can have positive impacts in terms of increased broadband adoption, but also that municipal broadband is rarely financially viable and that governments distort markets when they are owners of competitive telecommunications providers. These findings imply that competitive safeguards may be needed to ensure that the net effects of the municipal provision of broadband would be positive.

Broadband coverage. Whitacre and Gallardo (2020) studied the effects of state laws restricting municipal broadband. They found that states with such restrictions have lower broadband penetration. They estimated that a county in a state with such restrictions and with a broadband penetration rate of 71.5 percent could increase its penetration rate to 74.7 percent if the restrictions were removed.

Broadband provider competition. An improvement in penetration, as found in Whitacre and Gallardo (2020), would not be without costs. Hauge et al. (2008) and Hauge et al. (2009) examined municipal provision of telecommunications, only some of which was broadband¹. These studies

The economics and provisioning of non-broadband telecommunications and broadband telecommunications to make the results applicable. The primary technical difference between traditional telecommunications and broadband is that the traditional service was circuit switched whereas broadband is packet switched. Circuit switching means that when a communication channel is opened for use by a subscriber, that channel remains in the exclusive use for that subscriber's call until the subscriber disconnects the call. With packet switching, the subscriber is given capacity for communication only as needed. Otherwise, the two modes of electronic communications share the same needs for

found that municipalities provided telecommunications services primarily in areas where low population density or other economic factors make it difficult for more than one private provider to offer service. They also found that in instances where two or more private providers could economically provide service, a municipal provider providing service replaces one of the potential private providers in the market.

Broadband project financial viability. Yoo and Pfenninger (2017) and Yoo et al. (2022) examined every municipal fiber optic project they could locate in the United States from 2010 through 2019. They found 88 projects, but only 20 reported sufficient information to assess financial performance. Yoo and Pfenninger restricted their analyses to those 20 projects. The study found that it was rare for a municipal fiber project that reports financial results to be cash positive. Indeed, the 2022 study found no projects that would remain financially viable without obtaining additional funding or debt relief, and nearly 90 percent were not generating enough cash to achieve long-run solvency.

Yoo and Pfenninger (2017) and Yoo et al. (2022) identified instances where cities choose to give preferential treatment to benefit their own broadband providers through the use of subsidies. Governments have other ways to take advantage of their own enterprises relative to privately-owned rivals. For example, Edwards and Waverman (2006) found that European telecommunications regulations favored service providers in which the governments had at least partial ownership.

Finally, Yoo and Pfenninger (2017) and Yoo et al. (2022) provided a possible explanation for the Whitacre and Gallardo (2020) results, namely that the municipalities in the Whitacre and Gallardo study were effectively subsidizing broadband development (which is contrary to the 2021 Act's intent for "sustainable adoption"). This could result in increased penetration, although not necessarily because government-owned businesses do not respond in the same ways as private businesses to financial incentives that would normally lead businesses to expand output if their production costs are subsidized (Brevitz et al., 2011).

IV. Suggested Further Action For Municipal Broadband

Monitor broadband development across the state and identify the locations of unserved rural areas that persist even with financial support provided under state and federal subsidy programs.

Competitive safeguards might be considered in the future, such as accounting separations. Based on the Yoo and Pfenninger (2017) and Yoo et al. (2022) findings of poor financial performance, accounting separations could help ensure that the municipal providers are not receiving anti-competitive subsidies. Then, based on the Edwards and Waverman's (2006) findings that government owners sometimes act on incentives to discriminate against rivals, competitive safeguards might include requirements for equal access to essential resources and greater

rights of way, poles, and conduit, permitting, facility construction, etc., and have network effects and connectivity challenges.

transparency in permitting. Accounting separations might be similar to those imposed by the PSC on IOUs that enter nonutility lines of business (PSC, 2004). Equal access and transparency requirements were imposed by the FCC and state telecommunications regulators on incumbent local telephone companies under the Telecommunications Act of 1996 to safeguard competition (Jamison & Sichter, 2010).

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Appendix B

Strengths and Weaknesses of Various Technologies

Broadband Technologies

The term “broadband” contrasts with “narrowband” communications service (e.g., lower speed dial-up connections over copper telephone lines using modems).¹ Consumers now associate broadband Internet connection with the “always on” high-speed Internet connections available using various telecommunications technologies, which continue to evolve and advance.

Broadband Internet connections are provided over wired (fiber optic cable or copper wire) or wireless (radio spectrum) transmission media. These wired or wireless technologies are used for “last mile” connections of the customer’s premise (home or business) to the first point of aggregation for the Internet (i.e., the telephone company or cable TV company switch). In addition, the customer will have inside wiring and Wi-Fi equipment on the premise to connect computers and other devices — the configuration of which will also affect transmission speed and performance.²

Digital Subscriber Line (DSL)

DSL is provided over traditional telephone (copper) lines with added electronic equipment at each end of the line (DSLAM at the telephone company switch and DSL Modem at the customer premise). The availability of DSL service is limited by distance from the telephone company’s central office — availability and speed depend on how far away the premise is from the central office or remote terminal. The signal reduces as distance increases, resulting in slower speeds. In general, DSL is not available beyond 18,000 feet.

DSL is becoming obsolete in the United States. For example, AT&T stopped accepting new orders for traditional DSL in 2020 and is phasing out traditional DSL service in favor of AT&T Fiber services.³ Verizon is also phasing out the copper network that supported DSL where it has deployed its FiOS fiber optic network. However, DSL technologies are still common in rural areas and fiber-to-the-node versions of DSL (for example, AT&T’s Internet Protocol Broadband (IPBB) are being offered.

¹ Note that there are other technical differences between broadband and narrowband. See, “Narrowband vs. Broadband: Terms Explained;” <https://rockymtnruby.com/narrowband-vs-broadband/> Last Updated: March 11, 2022.

² See for example, Understanding Internet Speeds, AT&T: <https://www.att.com/support/article/dsl-high-speed/KM1010095/>.

³ Pegoraro, R. (October 3, 2020). AT&T shelving DSL may leave hundreds of thousands hanging by a phone line. *USA Today*. Also see “AT&T no longer offers DSL service.” <https://www.att.com/internet/dsl/>.

Asymmetric DSL

Asymmetric DSL means the download and upload speeds are not the same. Thus, they are “asymmetric.” Download speeds range from 5 to 35 Mbps while uploads range from 1 to 10 Mbps.⁴

Other DSL Types

Other types of DSL service have evolved which offer greater speeds than ADSL. These types include ADSL2+, VDSL2, and G.Fast and are delivered using hybrid fiber optic/copper wire facilities. AT&T uses these technologies for its IPBB offering with “expected speeds” up to 100/20 and 500/100 Mbps.⁵

I. Cable Modem

Cable TV programming was originally delivered over coaxial cable which is a solid copper wire surrounded by insulating materials. Using successive generations of DOCSIS standards⁶, cable TV companies modified their networks by adding fiber optic cable to an optical node and then using existing coaxial cable for the remaining distance to provide high-speed Internet cable modem service. This network architecture is known as a hybrid fiber-coax network (HFC).⁷ “HFC networks are predominantly fiber The remaining portion of the HFC network is coaxial cable. The coaxial network is connected to the optical fiber network at a ‘fiber node,’ where the (fiber) optical signals are converted to radio frequency electrical signals for transmission over the coaxial network to the subscriber’s home.”⁸

- **DOCSIS 3.0** supports maximum download speeds of 1 Gbps and 100 Mbps upload.
- **DOCSIS 3.1** supports maximum download speeds of 10 Gbps and maximum upload speeds of 2 Gbps.⁹ DOCSIS 3.1 is widely deployed but “real-world implementations of DOCSIS 3.1 often max out at 940 Mbps down and 35 Mbps up.”¹⁰
- **DOCSIS 4.0** when deployed will provide the capability for symmetrical multigigabit broadband service.¹¹

⁴ DSL vs. Cable vs. Fiber: Which Internet Option is the Best? <https://broadbandnow.com/guides/dsl-vs-cable-vs-fiber> Last Updated: March 14, 2022.

⁵ Understanding Internet Speeds. <https://www.att.com/support/article/dsl-high-speed/KM1010095/>.

⁶ Data over Cable Service Interface Specifications or DOCSIS as maintained by CableLabs.

⁷ Hybrid Fiber-Coaxial Networks, CableLabs. <https://www.cablelabs.com/hfc-networks>.

⁸ A “101” on DOCSIS Technology: The Heart of Cable Broadband, CableLabs. October 14, 2020. <https://www.cablelabs.com/blog/a-101-on-docsis-technology-the-heart-of-cable-broadband>.

⁹ DOCSIS 3.0 vs. 3.1: What’s the difference between the two cable modems? By David Anders, CNET, December 16, 2021.

¹⁰ CableLabs sticks a fork into DOCSIS 4.0 specification, by Mike Robuck, Fierce Telecom, March 26, 2020. <https://www.fiercetelecom.com/telecom/cablelabs-sticks-a-fork-into-docsis-4-0-specification>

¹¹ A “101” on DOCSIS Technology: The Heart of Cable Broadband, CableLabs.

II. Fiber Optic Cable/Fiber to the Home

Fiber optic cable contains at its center a very thin ultra-pure glass strand about the thickness of human hair over which data is transmitted using light sent by laser electronics.¹² These strands are bundled into multi-fiber cables of various sizes (e.g., 288 fibers). Broadband speeds vary depending on several factors, including the optical networking gear used and how the service provider configures the service. Fiber has the capability to provide very high speeds which are symmetrical. For example, AT&T Fiber offers symmetrical speed tiers ranging from 5 Mbps to 5 Gbps.¹³ Also, Frontier recently announced a network-wide launch of 2 Gig fiber service.¹⁴ Fiber is also the most expensive broadband Internet technology to deploy since it uses dedicated fiber optic cable to each premise served.

III. Wireless/Radio Frequency (RF) Technology

There is a common misperception that “wireless service” means it is wireless all the way from the user’s smartphone to the other end of the communication, whether a voice call to another person, browsing a website, or streaming video. This is not the case. The wireless portion of the communication is typically relatively short, from the smartphone to the antenna, which is supporting the communication (either a “5G” small cell antenna on a pole or streetlight, a “4G” antenna on a taller tower, a fixed wireless receiver on a premise, or a Wi-Fi connection). The rest of the data transmission from the antenna or Wi-Fi connection occurs over the landline network, typically via fiber.

Radio spectrum in the United States is allocated and assigned by the FCC among specific uses and users, including mobile wireless, fixed wireless, and satellite services.

IV. Fixed Wireless

Fixed wireless access provides broadband Internet connection between two stationary points using radio signals, such as from a building or tower (access point) to a receiver located at the customer premise. The tower is typically connected to the Internet via fiber optic lines. Fixed wireless services depend on a line of sight between the tower and receiver with a range of up to 10 miles. Connectivity is a function of physics where lower frequencies can penetrate objects or clutter and other designs can go around corners or obstructions.¹⁵

¹² Frontier Communications. <https://blog.frontier.com/2021/01/what-is-fiber-optic-internet/>.

¹³ How it Works – Optical Fiber, Corning Glass <https://www.corning.com/worldwide/en/innovation/the-glass-age/science-of-glass/how-it-works-optical-fiber.html>. Also see, Understanding Internet Speeds. <https://www.att.com/support/article/dsl-high-speed/KM1010095/>.

¹⁴ Frontier heavily promotes network-wide 2 Gig fiber service launch, by Matt Vincent, Broadband Technology Report. February 22, 2022. <https://www.broadbandtechreport.com/fiber/article/14234391/frontier-trumpets-networkwide-2gig-fiber-service>

¹⁵ Fixed Wireless Access Solutions: Tomorrow’s Internet Today, page 7, WISPA.org, 2022.

Citizens Broadband Radio Service (CBRS) refers to a spectrum recently authorized by the FCC for shared use including general use on an unlicensed basis.¹⁶ CBRS can be used to deliver fixed wireless access and is expected to outperform Wi-Fi for in-building use. It is also anticipated that CBRS will be used to extend 5G wireless service.

Fixed wireless service is provided by Wireless Internet Service Providers (WISPs), predominantly serving rural markets.

V. Mobile Wireless

5G is the fifth generation of mobile wireless technology driving evolution of the wireless communications technology platform. First generation, 2G and 3G wireless service was provided beginning in the 1980s and 1990s using large towers, and 4G was characterized by the development of “apps” that needed sustained reliable connectivity, which in turn drove antenna densification, while 5G relies upon even more closely spaced, small antennas. 5G uses low-power transmitters with coverage radius of approximately 400 feet. 5G thus requires closer spacing of antennas and more of them. Small cells bring the network “closer” to wireless service users to deliver increased data capacity, faster connectivity speeds, and an overall better wireless service.

5G networks operate on frequencies in three bands¹⁷ using millimeter wavelengths — the highest of which is anticipated to offer download/upload speeds of 1 Gbps. The actual speed and range the consumer receives depends on a variety of factors, including what frequency is being used by the service provider: low-band, mid-band, or high-band. There are tradeoffs among the different bands, between speed and distance/coverage. General observations:

- Low-band frequencies work well across long distances and in rural areas; speeds are greater than 4G but slower than other 5G frequencies.
- Mid-band frequencies are currently sought after since they permit greater speeds while covering relatively large areas.
- High-band frequencies provide the fastest speeds but in more limited circumstances, such as close to the antenna and in areas without physical obstructions (i.e., windows, buildings, walls). Thus, high band will work well in dense areas where antennas can be placed every few hundred feet. This spectrum delivers the high speeds that are commonly associated with 5G.
- 5G networking will be a combination of low, mid, and high-band frequencies.
- Using 5G service requires using a 5G-ready device.

¹⁶ What is CBRS? By Linda Hardesty, Fierce Wireless June 23, 2020. <https://www.fiercewireless.com/private-wireless/what-cbrs>

¹⁷ When is 5G coming to you? The definitive guide to the 5G network rollout, by Tom’s Guide Staff, April 29, 2021. <https://www.tomsguide.com/special-report/when-is-5g-coming-to-you-the-definitive-guide-to-the-5g-network-rollout>

VI. Satellite Connections

Satellite technology provides near ubiquitous geographic coverage for the United States. Satellite Internet has vastly improved from its inception in the 1990s; however, it has been viewed as a solution primarily for rural and underserved areas. Like other Internet services using radio spectrum, satellite Internet service is affected by line-of-sight considerations such that trees and mountains interfere with access as does weather conditions such as rain or snow.¹⁸

Satellites in “**high earth orbit**” are 22,230 miles high. This distance creates the highest latency across all technology types according to measurements by the FCC (628 ms).¹⁹ Satellites launched by HughesNet and ViaSat can offer speeds up to 25 Mbps or greater, with speeds up to 100 Mbps promised for coming years.²⁰ While satellite coverage is ubiquitous, the adoption rate for 10/1 service is 1 percent (residential subscriptions divided by deployed households).²¹

“**Low earth orbit**” satellites “circle the planet at only around 300 miles above the surface. The shortened distance can drastically improve the Internet speeds while also reducing latency.”²² Starlink can deliver up to 150 Mbps Internet service.²³ Amazon also plans deployment of satellite Internet service (“Project Kuiper”).²⁴

VII. Broadband Performance Metrics and Benchmarks

The typical consumer considers performance of broadband transmission media measured primarily by speed (upload and download) and latency (duration of the end to end “round trip” communication).

¹⁸ See for example, “HughesNet is available coast to coast in the U.S. All you need is a clear view of the southern sky.” <https://internet.hughesnet.com/order-online/product-selection/>. Also, “Viasat Internet is available in all 50 states and covers much of the U.S. population in remote and rural areas where other internet companies offer slower service, or no service at all.” <https://www.viasat.com/satellite-internet/faq/>

¹⁹ *Id.*

²⁰ Satellite Internet in the USA, by Tyler Cooper, BroadbandNow. October 26, 2021. <https://broadbandnow.com/Satellite>

²¹ Fourteenth Broadband Deployment Report; In the Matter of Inquiry Concerning Deployment of Advanced Telecommunications Capability to All Americans in a Reasonable and Timely Fashion; GN Docket No. 20-269; Before the Federal Communications Commission, FCC 21-18, Released January 19, 2021, at footnote 121. (The “Fourteenth Broadband Deployment Report”). <https://www.fcc.gov/reports-research/reports/broadband-progress-reports/fourteenth-broadband-deployment-report>

²² “What is Starlink? SpaceX’s Much-Hyped Satellite Internet Service Explained, by Michael Kan, February 10, 2022. PC Magazine. <https://www.pcmag.com/how-to/what-is-starlink-spacex-satellite-internet-service-explained>

²³ *Id.*

²⁴ Amazon Sets the Stage for Five Years of Project Kuiper Satellite Internet Launches, by Ry Christ, CNET. April 5, 2022. <https://www.cnet.com/news/amazon-sets-the-stage-for-five-years-of-project-kuiper-satellite-internet-launches/>

Speeds are measured in Megabits per second or “Mbps.” One Mbps represents the capacity to transmit 1 million bits of data each second. Download and upload speeds are measured separately. Important speed thresholds affecting infrastructure funding:

- The **FCC threshold** for “broadband service” is 25 Mbps download and 3 Mbps upload. This definition is reviewed annually by the FCC, considering what “typical” users do with their broadband connection. The FCC is regularly urged to increase the speed threshold²⁵ and make the speeds “symmetrical” (identical download and upload speeds). Increasing the broadband threshold speeds would among other things increase the cost of FCC broadband support programs funded through the Universal Service Fund.
- The **IJA threshold** for “broadband service” is 100 Mbps download and 20 Mbps upload.
- The FCC’s **RDOF** relies on reverse auction bids using four performance tiers: Minimum (25/3 Mbps); Baseline (50/5 Mbps); Above Baseline (100/20 Mbps); and Gigabit (1 Gbps/500 Mbps).
- Florida Statutes defines “Broadband Internet service” as one “that offers a connection to the Internet with a capacity for transmission at a consistent speed of at least 25 [Mbps] downstream and 3 [Mbps] upstream” (25/3 Mbps). (§ 288.9961(2)(a), Fla. Stat.).

Latency is measured in milliseconds and is the time it takes for a data packet to travel across a network from one point on the network to another — the request-response time.²⁶ “Physical distances, number of network hops, routing protocols, and network equipment are generally more significant factors” contributing to latency.²⁷ The FCC’s RDOF defines “low latency” as less than or equal to 100 milliseconds, and “high latency” as less than or equal to 750 milliseconds.²⁸

VIII. Broadband Technology Trends and Characteristics

1. The customer’s location will be the biggest factor in determining broadband technology options. Rural areas will tend to have fewer options.
2. DSL has become obsolete due to distance limitations (availability limited to locations 18,000 feet or less from the switch) and speed limitations. DSL download speeds typically do not exceed 6 Mbps, which is one-quarter of the FCC’s benchmark for broadband: 25 Mbps.
3. DSL is often found in areas where cable or fiber Internet is not available. It is often cheaper than satellite or other services.

²⁵ Broadband: FCC Should Analyze Small Business Speed Needs, Report to Congressional Addressees, United States Government Accountability Office, GAO-21-494, July 2021.

²⁶ Eleventh Measuring Fixed Broadband Report, at page 10.

²⁷ Cable Broadband Technology Gigabit Evolution, CableLabs, Fall 2016, at page 16.

²⁸ RDOF Report and Order, at paragraph 32. See also, Auction 904: Rural Digital Opportunity Fund, <https://www.fcc.gov/auction/904/factsheet#technology>.

4. Fixed wireline Internet connections presently offer higher speeds and greater reliability since they are not affected by weather or line-of-sight factors that affect wireless radio transmissions, although deployment of 5G wireless service allows significantly higher speeds.
5. “Fixed broadband services... tend to offer higher speeds with greater reliability and higher usage allowances than mobile services, which can make fixed broadband services more suitable for, among other things, large file transfers, long-form video, desktop schoolwork, and sharing the same connection with multiple devices and users within the same home.”
6. Fiber optic Internet access is considered to support the highest speeds and reliability, as compared to satellite, fixed wireless and cable modem hybrid fiber/coax.
7. The higher costs associated with connecting fiber optic cable to each premise have limited unsubsidized deployments to urban and suburban areas which are more densely populated.
8. Cable internet is more widely accessible than fiber optic Internet.
9. Fixed wireless provides advantages where terrain, distance, or low density preclude placement of fiber optic or other wired technology. Fixed wireless is deployed in Florida serving previously unserved areas, for example in Hardee County.
10. Fixed wireless and satellite services require the installation of properly located external fixed receivers or antennas/satellite dish.
11. Wireless Mobile speeds vary even over small local areas.
12. 4G and 5G wireless services rely on the landline network to connect towers and antennas. These connections increasingly use fiber optic cable. Also, Wi-Fi coverage is supported by a fixed broadband connection. Similarly, Starlink relies on Google’s private fiber-optic network for connections.²⁹
13. Speeds can decrease significantly with increased usage of shared facilities/capacity due to contention for capacity (network congestion). Examples include when many users contend for wireless capacity at a sporting or entertainment event, or in the evening when many cable Internet users contend for capacity for streaming video applications such as Netflix.
14. The FCC is optimistic that “increased deployment of 5G may allow mobile services to serve as an alternative to fixed services.”³⁰ The FCC is expanding access to the spectrum to facilitate broadband deployment in the future.³¹ “The Commission has made available significant amounts of spectrum in the low-, mid-, and high-frequency bands for mobile providers to develop and deploy new technologies like 5G and to support existing 4G LTE networks.”

²⁹ Google wins cloud deal from Elon Musk’s SpaceX for Starlink Internet connectivity, by Jordan Novet, CNBC. May 13, 2021.

³⁰ Fourteenth Broadband Deployment Report, at page 6. However, the FCC has not concluded that “consumers will treat mobile 5G as a substitute for fixed services.”

³¹ Fourteenth Broadband Deployment Report, at page 4 and page 43, “Access to Spectrum.”

15. Wireless providers are beginning to use 5G to provide home internet connections, including T-Mobile 5G Home Internet,³² Verizon's 5G Ultra-Wideband³³ and Starry (various plans). Prices range from \$30 to \$80 per month, and maximum download speeds range from 35 Mbps to 1 Gbps without data caps.³⁴
16. Pricing for some service providers and offerings include data caps or limitations/added costs on data usage. Satellite services, wireless services, and fixed wireless services can include extra charges for data usage above a set level, or slow download speeds at a set level for the rest of the billing period. Data caps for fiber optic and cable internet are less prevalent.
17. Prices for SpaceX's Starlink satellite service have increased. The monthly charge for broadband Internet access increased from \$99 to \$110. The one-time charge for the user installation kit increased from \$499 to \$549.³⁵
18. The scalability and viability of low earth orbit satellites for broadband Internet is not yet proven, and there are other concerns stemming from the volume of satellites to be placed into low earth orbit and their potential impact on astronomy.

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Understanding Internet Speeds, AT&T: <https://www.att.com/support/article/dsl-high-speed/KM1010095/>

³² <https://www.t-mobile.com/news/offers/t-mobile-launches-5g-home-internet-in-metro-by-t-mobile-stores>

³³ https://www.verizon.com/5g/?kpid=go_cmp-2036930567_adg-78854198304_ad-572787342178_kwd-520668201555_dev-c_ext-_prd-_sig-Cj0KCQjwI7qSBhD-ARIsACvV1X1eYK3UoByrLY4I2WldqR1yUKLiXLFfb-AdezW8IF0mLF3Si5KqgRsaAnpMEALw_wcB&cmp=KNC-C-5GNetwork-NON-R-BPLU-NONE-NONE-2K0VZ0-COE-GAW-3006&gclid=Cj0KCQjwI7qSBhD-ARIsACvV1X1eYK3UoByrLY4I2WldqR1yUKLiXLFfb-AdezW8IF0mLF3Si5KqgRsaAnpMEALw_wcB

³⁴ Could 5G Home Internet Be the Solution to Your Broadband Needs? By Trey Paul, CNET. March 6, 2022. <https://www.cnet.com/home/internet/what-is-5g-home-internet/>

³⁵ Maidenberg, M. (March 25, 2022). Inflation Boosts SpaceX Prices. *The Wall Street Journal*. p. B4.

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Cable, fiber, 5G and more: the different internet connection types and how they work, by David Anders and Sean Jackson, CNET. September 13, 2021. <https://www.cnet.com/home/internet/internet-connection-types/>

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Appendix C

Interviews with the Miccosukee and Seminole Tribes of Florida

PURC interviewed Tribal representatives in Florida regarding their broadband Internet needs and plans, talking with both the Seminole Tribe and the Miccosukee Tribe. PURC spoke with Foo Giacobbe, who leads information technology services for the Seminole Tribe. PURC also spoke with Curtis Osceola, who is the Chief of Staff for the Miccosukee Tribe. The interviews are summarized below.

The Seminole Tribe decided two to three years ago that broadband Internet development should be a priority, and launched a broadband Internet development program. In the first phase of the program, the Tribe is establishing towers for expanding cellular service, emphasizing fourth generation (4G) cellular technology known as Long-Term Evolution (LTE). Consultants were engaged for the planning of these towers, and the Tribe is currently in the construction phase. These towers will be available to AT&T, Verizon, and T-Mobile to provide LTE services in the area. The tower expansion includes the construction of fiber optic cabling to connect the towers. Phases two through four of the Tribe's broadband Internet program will include the expansion of dark fiber across Tribal lands and to members' homes, interconnecting all Tribal areas throughout the state, and the development of a Tribe-owned internet and television services provider. These phases could result in the Tribe's network replacing the broadband Internet networks provided by legacy telephone companies in Tribal areas. The Tribe is exploring whether to launch the Tribe-owned provider as a new enterprise or to purchase an existing broadband Internet provider and use it to provide service within the Tribal areas.

PURC's research for the Office of Broadband found that greater proportions of Native Americans in a geographic area are significantly associated with lower broadband Internet availability and less broadband Internet adoption, more so than for any other ethnic or racial group. For the Seminole Tribe, this negative correlation between broadband Internet and the presence of Seminole Tribe members apparently resulted from the Tribe lacking interest in broadband Internet and having a strong interest in maintaining its privacy. The strong interest in privacy remains, but the Tribe believes that broadband Internet should now be a priority. The Seminole also believes that its broadband Internet strategy will continue to protect privacy for the Tribe and its members. Broadband Internet affordability is not an issue for Tribal members.

The Seminole Tribe's primary challenges for deploying broadband Internet are land clearing, bird migration, and endangered species. Network deployment must take into consideration the Tribe's ties to the land and to nature. Once the necessary considerations are addressed, the Seminole Tribe's control of its land enables it to act quickly. The Tribe does not believe that it wants or needs state help at this time as it has its plans in place, is executing these plans, and has the necessary funding. The Seminole Tribe is willing to stay engaged with the state and to engage with other tribes to pass along the lessons it has learned from its broadband Internet program.

The Miccosukee Tribe is in a different situation than the Seminole Tribe. The Miccosukee Tribal leaders only recently determined that broadband Internet should be a priority and have not taken many steps toward broadband Internet expansion. At present, there are fiber optic cables surrounding the reservation, but fiber optics do not have much of a presence on reservation lands.

A primary interest of the Tribe is expanding broadband Internet for educational purposes. Schools have fiber optics. However, students learning from home lack broadband Internet, so there will be a desire to expand home access.

One of the challenges for the Miccosukee Tribe is the lack of a central authority to address barriers to network deployment, such as the need to work around other utility services, primarily water services. Regarding utility services, the Tribe has its own water utility and is installing a new system. Florida Power & Light provides electricity, and its lines are above ground. Comcast has run some fiber optics on the reservation, but most houses that have broadband Internet have DSL service, which is a legacy telephone company technology. Cellular coverage is good on Tribal lands. The Miccosukee Tribe has cellular towers that it leases to AT&T, Verizon, and T-Mobile. There are very few dead zones.

Broadband Internet affordability is not a problem for either Tribe. Also as with the Seminole Tribe, the Miccosukee Tribe's lack of broadband Internet has resulted from a lack of interest among Tribal leaders and members. However, now there is demand for broadband Internet, and the Tribe is ready to move forward. There are some independent camps on the reservation. People in these camps are descendants of Miccosukee people but are not Tribal members. The camps are remote and are likely to need satellite service for broadband Internet. The Miccosukee Tribe is interested in working with the state to develop Broadband Internet development on the Tribe's lands. This would include helping to develop grant applications and facilitating a Local Technology Planning Team.

In summary, while the Seminole Tribe and Miccosukee Tribe are in different situations with respect to broadband Internet development, the difference can reasonably be attributed to timing: The Seminole Tribe established broadband as a priority sooner than did the Miccosukee Tribe, and therefore, is farther along. There may be other reasons for the differences, but those are not obvious from the interviews. The Seminole Tribe wants to continue to work independently of the state. The Miccosukee Tribe is ready and willing to engage with the state to expand broadband Internet on reservation lands.

Appendix D

Methodology and List of Interviewees

The Office of Broadband contracted with PURC at the University of Florida to assist with the development of Florida’s Strategic Plan for Broadband. The methodology used to develop this Strategic Plan included interviews with a variety of stakeholders in Florida. In addition, this Strategic Plan is informed by reviews of other states’ broadband Internet plans, pertinent state and federal laws, regulations, funding guidance documents, PURC’s report, *The Status of Broadband in Florida* (2022, February 28), a literature review (Appendix D), information about broadband Internet technologies (Appendix B), and a table on state and federal funding programs (Appendix E).

I. Interviews

Interviews informed much of the strategy development. Interviews with various stakeholder groups included broadband ISPs and individuals who work for or are affiliated with: local governments, local communities and regional economic development organizations, state government agencies, emergency management and internet security entities, other states’ broadband offices, think tanks, consulting groups, foundations, federal agencies, and organizations representing consumer groups. Representatives from the following entities were interviewed:

Industry – Company or Association		
AT&T	Florida Electric Cooperatives Association	Nokia
Charter Communications, Inc.	Florida Internet and Television	T-Mobile
Conexon	FPL (Florida Power and Light)	
Crown Castle	Gainesville Regional Utilities/ GRUCom	

Florida State Government and Associated State Entities		
Enterprise Florida, Inc.	Florida Department of Management Services, Division of Telecommunications	Florida Public Service Commission
Florida Department of Economic Opportunity	Florida Department of State, Division of Library and Innovation Services	Florida Division of Emergency Management

<u>Florida State Government and Associated State Entities</u>		
Florida Department of Education, Division of Public Schools and Division of Technology & Innovation	Florida Department of State, Division of Library and Innovation Services	Heartland Education Consortium
Florida Department of Health, Office of Rural Health	Florida Department of Transportation, Office of Policy and Planning	University of Florida, Institute of Food and Agricultural Sciences

<u>U. S. Government</u>	
Federal Communications Commission	U.S. Department of Treasury
National Telecommunications and Information Administration	

<u>Local Government</u>		
Alachua County Public Schools	Florida Municipal Electric Association	Levy County Library District
Calhoun County	Florida Regional Councils Association	Okeechobee County Commission
Central Florida Regional Planning Council	Florida Small County Coalition	Wakulla County Commission
Florida Association of Counties	Gainesville Regional Authority	Walton County, Clerk of County and County Administration
Florida Rural Electric Cooperative Association	Hardee County, Economic Development Council	City of Winter Haven, Chief Information Officer

<u>Think Tanks, Consultants, and Other Organizations</u>		
The American Association of Retired Persons (AARP)	Boston Consulting Group	Pew Charitable Trusts

American Enterprise Institute	Brookings Institute	VisionFirst Advisors (for Weyerhaeuser)
Benton Institute	Ernst & Young	
Blandin Foundation	KPMG	

State Broadband Offices		
Arizona Commerce Authority	Hawaii Broadband and Digital Equity Office	North Carolina Division of Broadband and Equity, Department of Information Technology
Colorado Office of Information Technology	Illinois Office of Broadband	
Connect ME (Maine)	Minnesota Office of Broadband Development	

Appendix E

Office of Broadband Activities and Outreach

The Office of Broadband has been directed to perform the following duties:

- Create a strategic plan to increase the use of broadband internet service in Florida. The plan must include a process to review and verify public input on the broadband Internet transmission speeds and availability, federal broadband activities, and funding sources.
- Build and facilitate local technology planning teams, especially with community members from the areas of education, healthcare, business, tourism, agriculture, economic development, and local government. The planning teams shall work closely with communities to understand current broadband availability, identify assets for broadband deployment, build partnerships with service providers, identify underserved and unserved residents and businesses, identify funding opportunities, and provide assistance with applying for federal grants for broadband internet service.
- Provide technical and planning assistance to communities.
- Establish the Broadband Opportunity Program to award grants, subject to appropriations, to applicants who seek to expand broadband to unserved areas and apply for federal funds.
- Develop a map of broadband Internet service availability throughout the state consistent with the Federal Communications Commission's (FCC) Digital Opportunity Data Collection program. The map must identify where broadband-capable networks exist, service is available to end users, gaps in rural areas, and download and upload transmission speeds. DEO must receive and verify public input to identify locations in which broadband internet service is not available, including locations with transmission speeds below FCC standard of 25 megabits per second downstream and 3 megabits per second upstream. The map must be completed by June 30, 2022.
- Encourage public use of Internet service through broadband grant programs.
- Monitor, participate in, and provide input on FCC proceedings that are related to the geographic availability and deployment of broadband internet in Florida.
- Act as a repository for the attachment of broadband facilities to municipal electric utility poles.

The Office of Broadband is preparing for federal funding opportunities with the following in mind:

- Following the Governor's priorities, building the state workforce, transportation, and housing sectors will involve building out the broadband infrastructure throughout the state, specifically in unserved and underserved communities.
- Ensuring each of the funding programs, the Broadband Opportunity Program, the Capital Projects Fund, and the Infrastructure Investment and Jobs Act, provide the end user with access to minimum scalable speeds of 100mbps download and 10mbps upload.
- Connecting un/underserved areas and communities with these speeds will be an important driver for future economic development, workforce growth and stability, education, healthcare points of access, and housing opportunities for all residents and businesses in the area.

DEO Local Technology Planning Teams:

- Rolled out the Local Technology Planning Teams initiative and toolkit. The goal of the statutory initiative is to build out teams involving industry sector leaders in each county to identify locations in which broadband internet is not available, how broadband expansion will impact the community's education, workforce, and telehealth initiatives, and prepare potential broadband expansion projects for the community. The LTPTs are provided with direction on timeframes of the meetings, identifying participants from the areas of education, healthcare points of access, housing, business, tourism, agriculture, economic development, and local government. The planning teams work closely with rural communities in their county to better understand current broadband availability, identify assets for broadband deployment, build partnerships with service providers, identify underserved and unserved residents and businesses, identify funding opportunities, and provide assistance with applying for federal grants for broadband internet service. As of June 1, all 67 counties have identified leaders, and 27 counties have established teams, with 21 teams actively meeting. There is also one active regional team consisting of four counties. The Office of Broadband hosts a monthly call with all counties to discuss status of the meetings, answer questions, and share best practices. The culmination of this effort will be diverse community industry sectors working together to develop measurable goals, objectives, and benchmarks that will keep Florida's broadband adoption and expansion efforts on track at every level of government in subsequent years.

Outreach to National Partners:

- Reached out to NTIA for information on mapping projects in other states.
- Participate in the NTIA's State Broadband Leaders Network meetings and summits.
- Reached out to other state broadband offices in search of best practices pertaining to grant programs and mapping data.
- Partnered with the United States Department of Treasury on the Capital Projects Funding.
- Partnered with The Pew Charitable Trusts' broadband education and training initiative (BETI).
- Continual review of FCC meeting agendas for broadband topics.
- Spoke with SpaceX regarding its broadband expansion plans.
- Corresponded with U.S. Congressman Darren Soto, who serves on the subcommittee for Communications and Technology, regarding Office of Broadband funding applications.

Outreach to State Partners:

- Hosted a call with state agencies to discuss upcoming opportunities related to broadband Internet expansion and collaboration with other broadband related programs.
- Spoke with the Seminole and Miccosukee Tribes of Florida on potential funding opportunities for broadband expansion.
- Spoke with Florida Department of Management Services (DMS) on E-Rate and other broadband related programs.
- Met with Small Counties Coalition and the Florida Association of Counties to discuss Office of Broadband initiatives, partnering, and planning.
- Spoke with Florida Department of Education on the Career, Technical, and Adult Education program for potential partnership opportunities with the Florida Office of Broadband.

- Spoke with the Florida Municipal Broadband Alliance on directives of the Florida Office of Broadband and upcoming partnership opportunities.
- Spoke with statewide Internet Service Providers (ISP) regarding their partnership with the Florida Office of Broadband.
- Spoke with the Office of Rural Health at DOH regarding partnerships.
- Met with the Allapattah Collaborative about broadband expansion in the South Florida neighborhood.
- Met with the Communications Workers of America to discuss their union efforts.
- Met with the Florida League of Cities to discuss future partnerships.
- Spoke with the Department of State, Division of Libraries, on future partnerships and needs.

Conversations with Management Consultants and Service Providers:

- Spoke with various management consultants and Internet service providers around the nation on broadband best practices, grant program considerations, strategic planning discussions, and mapping insights.

DEO Website:

- Posted the Faster Florida Broadband Availability Map and link to speed test.
- Posted information on the Local Technology Planning Teams and the Broadband Planning Toolkit.
- Continuously update the website with federal and state funding opportunities.
- Posted a survey on broadband accessibility for public input and inclusion in the Florida Strategic Plan for Broadband.
- Provided sign-up option for interested parties to receive communications from the Office of Broadband.

DEO Broadband Workshops, Survey and Florida Strategic Plan for Broadband:

- Partnered with the Florida Regional Councils Association to host and facilitate ten regional workshops with industry sector leaders and statewide partners in February 2021. The information gathered from these workshops continues to help design state programs and resources for broadband adoption, deployment, expansion, and resiliency, as well as provide guidance for the Florida Strategic Plan for Broadband.
- Conducted a statewide survey on the availability and accessibility of broadband Internet in March 2021 to collect input from the public. Responses continue to help the office identify the status of broadband Internet and understand how the public defines broadband expansion in communities across the state.
- Received a Department of Commerce, Economic Development Administration (EDA), grant for \$1,000,000. The grant allowed the Office to partner with the University of Florida Public Utilities Research Center (PURC) to develop a statewide broadband study and Florida Strategic Plan for Broadband, due to the Governor and Florida Legislature on June 30, 2022. PURC developed both the Status of Broadband in Florida study and the Florida Strategic Plan for Broadband.

DEO Broadband Availability and Speed Test Map:

- The Office contracted with GEO Partners, LLC, to develop the Florida Broadband Availability and Speed Test Map to show broadband Internet service availability throughout the state. This is a geospatial map that identifies where broadband capable networks exist, where service is available to end users, gaps in rural areas, and download and upload transmission speeds.
- The Office also contracted with Strategic Digital Services (SDS) on a statewide “Faster Florida Broadband” marketing campaign to encourage citizens and businesses to take a speed test. These speed tests provide valuable public feedback on Internet availability and speed in locations throughout Florida, helping the Office identify unserved and underserved locations around the state. This marketing campaign compliments and supports the data provided in the GEO Partners, LLC, map.

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Appendix F

Literature Review

This literature review is designed to offer insight into programs that have been empirically analyzed and that address federal, state, local, and private initiatives to increase broadband Internet access and adoption rates. The following sections provide results of various supply-side and demand-side programs that have been studied.

I. Access Studies

- **Subsidies to encourage broadband Internet provision** have not been shown to increase access or adoption. Studies are limited; one study found either no relationship or a negative relationship between high-cost support, cable speeds, and availability.
- Empirical studies of **programs to eliminate barriers to provider entry** (i.e., supply-side barriers) are sparse; however, it has been shown that state-level policies are ineffective (universal service programs targeted at underserved areas do not boost penetration). Guaranteed rights of way by ISPs is strongly correlated with increased penetration, as are some forms of unbundling regulations. A positive correlation has also been found between diffusion and the presence of a broadband Internet office at the state level and state-level funding.
- **Facilities-based competition** has been shown to be more successful than service-based competition in improving access, quality, and speed and decreasing price.
- **Municipal broadband Internet provision** has been shown to be financially unsuccessful, therefore, generally non-viable.
- With respect to **public-private partnerships**, we found no statistical studies of public-private partnerships employed to promote broadband Internet diffusion or adoption, although several case studies concluded that, while programs had success with respect to broadband Internet deployment, adoption goals were not met.
- The **E-Rate program** has not been shown to affect academic outcomes or have any bearing on spurring provider competition in broadband Internet markets.
- **Public Computing Centers** were not found to have any effect on home broadband Internet adoption, economic outcomes, or academic achievement.

II. Adoption Studies

- Studies of programs addressing **price as a barrier to adoption** generally have been based on survey respondents rather than empirical analysis; we did not find any recent empirical

studies that determine price to be a significant barrier to adoption for most unconnected households.

- Studies of programs addressing **lack of computer ownership** have concluded that providing computers (or subsidized computers) does not increase broadband Internet adoption; however, one study shows that specific groups were more likely to be adopters of mobile-only Internet access. While we did not find empirical evidence on the success of such programs, they appear to have the possibility of successfully increasing adoption rates.
- Empirical analyses of **digital literacy** programs are sparse. Limited results show that prior experience with the Internet directly promoted broadband Internet adoption and that libraries and other community organizations may compensate for shortages in digital skills that otherwise act as barriers to adoption. Studies conclude that precursors of broadband Internet adoption are individuals' perceived benefits of the Internet, the ability to acquire those benefits, and a perception of value in using the Internet.
- While there exist numerous studies that describe characteristics of non-adopters, few offer evidence as to why various groups do not adopt.

III. Rural Access and Adoption Studies

- The Federal Rural Health Care Program was shown to have a positive impact in stimulating entry of broadband ISPs into rural areas. A key finding was that if rural broadband Internet availability were to increase to 100 percent, the adoption rate would increase by 6.12 percent. A cost benefit analysis would need to be undertaken to determine if this goal is optimal.

IV. Regulatory Framework Studies

- The most significant positive effect on quality and quality improvements results from competition. Studies show evidence that regulatory interventions, such as unbundling or open access provision, positively impacted markets with limited competition. Stricter regulation negatively impacted infrastructure investment by entrants but had no effect on investments by incumbent providers.

V. Missing in the literature

- Cost-benefit analyses
- Goals of programs being evaluated
- Rigorous empirical analyses
- Understanding of data necessary for any evaluation (state of affairs or program)
- Use of appropriate statistical methods

By seeking data from and results of various programs and policies, this review should prove useful to those responsible for implementing Florida's Strategic Plan for Broadband.

VI. Programs to Increase Broadband Access

A. Subsidies for Provision

Chaudhuri and Flamm (2005) concluded that high levels of inter- and intra-modal competition already effectively impose price discipline and that price subsidies arguably may promote Internet penetration at the household level, but would most likely be both redundant and extravagant. Currently, the U.S. government is spending \$42.45 billion for the BEAD program, which offers ISPs subsidies to locate in unserved and underserved areas; most of this funding is to go to the states for their own projects.¹ There have been no studies (to our knowledge) of the potential impact of this program.

Among programs to subsidize provision is the CAF, established in 2012. CAF focused on providing funding for price cap carriers to begin broadband Internet buildout.² The program was established by the FCC and funded by the Universal Service Fund (USF).³

Phase I had a budget of \$4.5 billion over six years. All existing high-cost support to price cap carriers were frozen, and an additional \$300 million in CAF funding was made available. The prior (now frozen) support was then subject to the goal of achieving universal availability of voice and broadband, and subject to obligations to build and operate broadband Internet -capable networks in unserved areas. Phase II of the program included a budget of \$1.98 billion over 10 years. Deployment was to be complete by end of 2020.

On September 15, 2015, the FCC authorized 10 telecommunications carriers to receive \$9 billion in support for rural broadband Internet development. These awards are referenced on government websites and reports, but there is no indication of which 10 carriers received the money.

An empirical evaluation of High-Cost Support Programs (Skorup & Kotrous, 2020) attempted to determine their effectiveness in increasing broadband Internet availability and improving service quality. The data includes active programs in the 48 continuous U.S. states between 2014 and 2017. The authors observe fund disbursements to each of the four subprograms: the Connect America Fund, Alternative Connect America Model,⁴ Connect American Fund Broadband Loop Support,⁵ and

¹ See Benton Institute for Broadband & Society.

² Price cap carriers are large telephone companies that are subject to FCC rate regulation that is in the form of price caps rather than rate of return regulation.

³ See the FCC *Connect American Fund*.

⁴ Established in 2016 by the Rate-of-Return Reform Order, the model provides funding to rate-of-return carriers that elect to transition to a new cost model for calculating high-cost support in exchange for meeting defined broadband build-out obligations. See Universal Service Administration, *ACAM*.

⁵ The CAF-BLS provides funding to smaller phone companies to build broadband to a specific number of fixed locations in eligible areas. See Universal Service Administration *Instructions for Completing Connect American Fund-Broadband Loop Support Mechanism*.

Rural Broadband Experiments.⁶ They state, “with the exception of the Rural Broadband Experiments, we find that High-Cost Support has no relationship or is negatively related with cable speeds and availability.”⁷ The authors note that there are “inexplicably” large disparities in subsidies granted across the states. For example, “in 2018, rural providers in Alaska received over \$2,000 in High-Cost Support per rural household in the state. In contrast, by way of example, Texas has the most rural households in the country, and 2018 subsidies amounted to about \$211 per rural household.”⁸

With respect to the cost of subsidies estimated to be required to connect remaining households to broadband Internet, de Sa (2017) predicted that connecting the remaining percent of unconnected U.S. households to fiber would require \$40 billion in initial public funding, and \$2 billion annually to support ISPs’ operational costs.

B. Barriers to Provider Entry

Barriers to entry protect incumbent firms and inhibit new entry into a market. Barriers to entry exist in many industries, in particular those characterized by high fixed costs of entry due to infrastructure costs, licensing and permit requirements, and regulatory rules, among others. A classification of entry barriers not specific to broadband Internet is provided by McAfee et al. (2004).⁹ In Table 1 below, economic barriers are differentiated from antitrust barriers; however, each is able to negatively impact a competitive market. An economic barrier is a fixed cost that must be incurred by an entrant to participate in the market, and that benefits incumbent firms. By contrast, an antitrust barrier is a cost that delays entry, and therefore, reduces social welfare relative to immediate entry but does not necessarily benefit the incumbent. A primary barrier constitutes the barrier to entry on its own. An ancillary barrier is a cost that does not constitute a barrier to entry on its own but reinforces other existing barriers. Structural barriers come from basic industry characteristics that relate to the structure of the market (for example with respect to broadband Internet infrastructure costs). Strategic barriers are essentially strategic entry deterrence actions taken by an incumbent firm, for example, loyalty programs that include customer discounts to maintain a company’s customer base and market share.

⁶ In 2014 the FCC established a \$100 million budget for the rural broadband experiments fund. The goal of the program is to provide funding for experiments in price-cap areas to bring broadband networks to residential and small business locations in rural communities. See the FCC’s *Rural Broadband Experiments*.

⁷ The cable speeds were broadband speeds offered by traditional cable television companies. Likewise, availability is the availability of broadband by these companies (Skorup & Kotrous, p. 33).

⁸ Skorup and Kotrous, p. 7.

⁹ Park and Taylor, p. 8.

Table 1*Classification of Entry Barriers*

		Economic barriers to entry		Antitrust barriers to entry	
		Standalone	Ancillary	Standalone	Ancillary
Structural barriers to entry	Economies of scale				○
	Switching costs			○	
	Brand loyalty	○		○	
	Capital costs				○
	Absolute cost advantages	○		○	
	Informational advantages				○
	Organizational advantages		○		○
	Asset specificity		○	○	
Strategic barriers to entry	Intense advertising			○	
	Contracts to block distribution			○	
	Excess capacity		○	○	
	Price discrimination	○		○	
	Leave-only marketing		○	○	
	Tying	○		○	
	Collective product proliferation				○
	Lobbying to raise entrant's cost	○		○	
	Exclusive patent cross-licensing		○	○	

Note. From McAfee et al. (2004).

Two statistical studies of factors affecting entry, and therefore broadband Internet diffusion, are from Prieger (2003) and Clements and Abramowitz (2006). Prieger (2003) estimated a model in which broadband Internet deployment is a function of various independent variables, including demographic composition, commuting and business patterns, market size, cost factors, and competition. He finds that larger markets, greater competition, and long commutes are associated with broadband Internet deployment.

Clements and Abramowitz (2006) found that population, income, and education level in an area, as well as cost-related factors, influence broadband Internet diffusion.

Empirical studies of programs to alleviate supply-side barriers to entry are sparse; however, Wallsten (2005) provided one such early investigation in which he examines government policies to improve broadband Internet availability, including streamlining rights-of-way laws, unbundling regulations, subsidies, and municipal provision. He finds that most state-level policies are ineffective: universal service programs targeted at underserved areas do not boost penetration and may even slow it by giving an artificial advantage to a given provider. Tax incentives appear to have no impact. However, guaranteed access to rights-of-way by broadband Internet providers is strongly correlated with increased penetration, and unbundling regulations affect diffusion in mixed ways as unbundled network element (UNE) lines are negatively correlated with penetration,¹⁰ while resale of telephone lines by CLECs increased penetration.

¹⁰ A UNE is a part of a telecommunications network that is required by the Telecommunications Act of 1996 to be offered to other providers to avoid duplicate infrastructure.

A more recent study by Whitacre and Gallardo (2020) used a county-level panel dataset, from 2012 to 2018, to analyze the impact of the availability of state-level funding, the existence of a state-level broadband Internet office, and the existence of restrictions on municipal broadband Internet provision on broadband diffusion. They find a small positive effect on broadband Internet diffusion from state-level funding and the presence of a broadband Internet office, and a negative impact of restrictions on municipal provision. For example, for a county with an average rural broadband Internet availability rate of 71.5 percent in 2018, the presence of a state-level funding program would be expected to raise availability to 73.3 percent; removing municipal broadband Internet restrictions would result in a similar small increase.¹¹

C. Promoting Facilities-Based Competition (versus Service-Based competition)

The term facilities-based (or infrastructure-based, or inter-platform) competition is used in the telecommunications industry to describe **competition between providers of the same or similar services** where the service is delivered by different or proprietary means or network. By contrast, service-based (or intra-platform) competition refers to when new entrants compete with incumbents by leasing facilities such as local access networks from incumbents. In an effort to increase broadband Internet diffusion, some countries have instituted various policies supporting one form of competition over the other. The European Union has tended to promote service-based competition, while facilities-based competition has been supported in the U.S.¹²

Gruber and Denni (2005) and Denni and Gruber (2007) studied the extent to which inter- and intra-platform competition facilitate broadband Internet diffusion. Using empirical evidence from the FCC and the Bureau of Economic Analysis from 1999 to 2004, they find that with intra-platform competition on cable TV platforms, initially competition had a positive impact on speed of broadband Internet diffusion, but this effect decreased over time. For intra-competition over DSL lines, initial telecommunication density was positively correlated with increased diffusion; however, the diffusion speed was negatively impacted. Inter-platform competition was shown to have a strong positive impact on diffusion speed. In states with inter-platform competition, initial availability was low but in the longer-term infrastructure competition was shown to be conducive to driving penetration.

Distaso et al. (2006) examined inter- and intra-platform competition on broadband Internet diffusion. His data represented 14 European countries; among those countries, he found that only inter-platform competition facilitated broadband Internet adoption. More recent work by Yoo (2014) compared service-based competition with facilities-based competition. Yoo used statistics and case studies to identify the best policies for increasing the deployment of high-speed broadband Internet by questioning the claim that the European model of service-based competition had outperformed the facilities-based competition underlying the U.S. approach. Using data on cable coverage and DSL provision by new entrants along with country-specific demographic data, he found that facilities-based competition had a statistically significant positive effect, while service-based competition had a statistically significant negative impact on next generation network (25 Mbps) coverage. There also was disparity between the speeds advertised

¹¹ Whitacre and Gallardo, p. 25.

¹² The European Union's competition policy is summarized in European Parliament (2021); the information includes competition policy tools, enforcement, and the role of the European Parliament.

and delivered by broadband Internet providers in the U.S. and Europe. During peak hours, U.S. actual download speeds were 96 percent of advertised speeds, compared to Europe where consumers received 74 percent of advertised download speeds. With respect to upload speeds, data indicated U.S. providers offered actual upload speeds that averaged 107 percent of advertised speeds, while European ISPs provided 88 percent of their advertised speeds.

With respect to price associated with the contrasting competition policies, data show that U.S. broadband Internet prices were lower than European prices for all service tiers up to 12 Mbps. For speeds greater than 30 Mbps U.S. prices were significantly higher (Yoo notes that the average U.S. user consumes 50 percent more capacity than the average European user, which likely is reflected in the pricing and coincides with the difference in monthly household bandwidth usage (60 GB in the U.S. vs. 40 GB in Western Europe).¹³

To determine which form of competition may better support investments in broadband Internet upgrades, Yoo included case studies of eight European countries (Denmark, France, Germany, Italy, the Netherlands, Spain, Sweden, and the United Kingdom). He again found facilities-based competition to be more effective and adds that countries that emphasized use of differing technologies achieved higher coverage rates than those relying on Fiber to the Premises (FTTP).¹⁴

Bauer and Tsai (2014) conducted a similar study that assessed the quality of broadband Internet access given various forms of market competition. They used data from Ookla (Ookla assesses Internet and network performance around the world) and Akamai (a content delivery network as well as providing Internet security) to empirically analyze the degree to which public policy decisions impacted quality and quality upgrades. Their research found that competition was the most important positive factor in providing quality. With respect to the form of competition, the authors found that broadband Internet penetration increased more strongly with the intensity of facilities-based competition than with intra-platform competition.

Prieger et al. (2014) offered increased detail regarding competition in the broadband Internet market. The authors conducted an empirical analysis of quality competition among broadband ISPs. They used the National Broadband Map data for California for 2011 through 2013 to examine how incumbent firms responded to competition from competitive local exchange carriers (CLECs) and cable modem providers. They observed that incumbent providers improved their ADSL¹⁵ quality when faced with a cable entrant and when cable operators offer increased speeds; however, incumbent providers did not raise their quality when CLECs competed via ADSL—they did when CLECs deployed fiber.

D. Municipal Provision

Municipal broadband Internet provision is broadband Internet access provided by local governments. Those supporting the municipal provision assert that quality and price are better for customers when provided by their cities rather than ISPs, and that in the absence of such provision,

¹³ Yoo (2014), p. 21.

¹⁴ Yoo (2014), p. 51.

¹⁵ ADSL is the abbreviation for asymmetric (or asynchronous) digital subscriber line, which is a method of routing digital data over copper telephone wires to allow both broadband Internet and voice communication simultaneously.

some households will not have any service options. Opponents contend that public entities are poorly equipped to maintain commercial broadband Internet networks and that government entry into the private sector constitutes unfair competition for the private sector providers.

To address these competing views, Hauge et al. (2008) examined the effect of municipal telecom provision on the presence of competitive local exchange carriers (CLECs) that formed to compete with incumbents. They conducted a nationwide empirical study of 51,148 cities with CLECs and/or municipal telecom providers and found that municipal providers tended to serve markets that CLECs did not. They also discovered that the presence of a municipal provider in a market did not affect the probability that a CLEC also served that market if there were multiple CLECs. In smaller markets that could support only one competitor to the incumbent, the presence of a municipal supplier decreased the probability of having a privately-owned competitor. A subsequent work by Hauge et al. (2009) confirmed the prior result and showed that the effect of municipal competition on private provision was largely concentrated on the first entrant. This suggests that municipalities initially entered telecommunications markets with demand too low to support competition from commercial providers.¹⁶ While useful for understanding what may drive entry, these papers only address the impact of municipal provision on privately-owned competitors; they do not address factors that may make municipal provision successful.

More recently, Yoo and Pfenninger (2017) conducted an empirical study including every municipal fiber project in the U.S. Of the 88 municipal fiber projects, 20 reported the financial results of their broadband Internet operations separately from the financial results of their electric power operations. The authors used data from these 20 municipal fiber providers over the period from 2010 to 2014 and ascertained that 11 of the 20 generated negative cash flow. Of the nine projects that were cash-flow positive, seven would require more than 60 years to break even. Only two generated sufficient cash to be on track to pay off the debt incurred within the estimated useful life of a broadband Internet network, which is typically projected to be 30 to 40 years. The authors noted, “To date, assessments of municipal fiber programs...have been long on rhetoric and anecdotes and short on systematic empirical analysis.”¹⁷

In 2022, Yoo et al. followed the 2017 work, and utilized municipalities’ official reports to empirically analyze the financial performance of every municipal fiber project in the U.S. operating in 2010 through 2019. They found that none of the projects generated sufficient nominal cash flow to remain financially viable without additional funding or debt relief, and 87 percent had not generated sufficient nominal cash flow to achieve long-run solvency. 73 percent generated negative nominal cash flow over the prior three fiscal years. The authors stated that analysis of the projects’ performance revealed that revenue generation likely plays a more important role in generating cash flow than efficiency in construction costs or operating efficiency.

Municipal Wi-Fi Provision

A subset of research on municipal provision focuses on such provision of Wi-Fi networks (see Gillett et al., 2004; Infante et al., 2007; Middleton, 2007; Potter & Clement, 2007; Shaffer, 2017). Wi-Fi

¹⁶ This is consistent with Yoo and Pfenninger (2017) and Yoo et al. (2022), which found that municipal providers were rarely commercially viable, implying that they often constitute subsidized provision of broadband.

¹⁷ Yoo and Pfenninger, p. 2.

networks do not require an FCC license for the radio spectrum they use; Wi-Fi providers need not pay the government for the use of the airspace. For this reason, some municipalities are turning to this option for broadband Internet provision to households in their areas; however, statistical analysis of the effectiveness of such programs is sparse. For example, the Detroit Community Technology Project¹⁸, the Personal Telco Project in Portland, Oregon¹⁹, and NYC Mesh in New York City²⁰ each have been operational for over five years, yet no statistical analyses have been undertaken to determine their level of success in terms of adoption or achieved outcomes from the supply of such networks.

E. Public-Private Partnerships

Public-private partnerships typically involve private capital financing of government projects. The private companies then earn profits over the course of the partnership contract. Such partnerships primarily are used for infrastructure projects that require significant initial investment that a municipality is unable to amass. No statistical studies of public-private partnerships to promote broadband Internet diffusion or adoption were found, although several case studies exist.

Gerli and Whalley (2018) focused on two projects deploying fixed broadband Internet networks in rural U.K.: Broadband for the Rural North and Connecting Cumbria. The former is a cooperative fiber-to-the-home network financed and built by residents in northwest England. As of 2022, Broadband for the Rural North remains in operation with a network of dark fiber cable and apparently successful connections (Broadband for the Rural North, n.d.), however, Gerli and Whalley (2018) offered no statistics on the program's performance.²¹ The latter project is a public-private partnership between British Telecom and Cumbria County Council to provide fiber in unserved areas. Despite achieving the set deployment goals, Connecting Cumbria frustrated rural communities who were unsatisfied with the speed or unable to access fast broadband Internet.

Gerli and Whalley (2020) followed up their 2018 study with an examination of private design-build-own (DBO) initiatives, where the public entity subsidizes the provision of infrastructure that is designed, built, managed and owned by the private partner. Using case study data, they found that the private DBOs achieved and sometimes exceeded their targets (programmatic success) but failed to engage with their stakeholders and lacked support at a local level (process deficiency).

A similar study was conducted by Fortunato et al. (2012), who analyzed municipal and public-private partnerships in Maine, Pennsylvania, and Wisconsin to determine community-level factors that either encouraged or inhibited local broadband Internet network development in persistently underserved communities. They acquired evidence suggesting that local organizing for high-speed broadband Internet access is similar to other community development problems unrelated to technology. Although the authors have data from the U.S. Census American Community Survey (ACS) (2010) and the Bureau of Economic Analysis Regional Municipal P3 Maine Hermon Washington County Pennsylvania Kutztown Cambria County Wisconsin Reedsburg Kenosha County

¹⁸ See the Detroit Community Technology Project.

¹⁹ See the Personal Telco Project.

²⁰ See NYC Mesh.

²¹ Dark fiber cable refers to excess capacity of unused fiber-optic cable that has been laid by a company but is not needed. It then can be leased to other companies to establish connections among their own locations.

Economic Information System (REIS) Regional Profiles (2010) (including population growth, migration patterns, income and education levels, and the mix of industries found in the area), no statistical analysis was pursued.

F. E-Rate Program (established in 1996)

E-Rate is a U.S. federal funding program administered by the Universal Service Administrative Company (USAC) under the direction of the FCC. The program provides discounts for telecommunications, Internet access, and internal networking costs for schools and libraries. Services include voice, data, video, and wireless services, as well as Internet access and the cost of installing and maintaining network infrastructure. The primary goal of the E-rate program is to promote equity across urban and rural areas, high and lower-income areas, and served and underserved areas by providing discounts of 20 percent to 90 percent of the cost of relevant connection services (not for computers or other devices that would then be connected). The discount offered is based on the poverty level of the school as given by the percentage of area students eligible for subsidized lunches, so that schools with more students from disadvantaged households receive higher discounts. [Rural schools and libraries also may receive a higher discount.]²²

The program is comprised of two categories. The first includes discounts for telecommunications services, such as wired and wireless data links and ISP connections. These funds are to bring Internet access to the school or library. The second category includes costs associated with internal wiring necessary to distribute connections to classrooms and other facilities within the school or library and includes wireless local area network services such as Wi-Fi.

To receive E-Rate funding, an eligible school or library must submit to the USAC a request for competitive bids for providing telecommunications and Internet goods or services. The USAC posts the requests for vendors to bid to provide the service. The school or library chooses the vendor it prefers, and then applies to the USAC for approval to commission that provider. A school can apply to the USAC by itself or as part of a district. If the latter, the discount rate is calculated as a weighted average of the schools listed on the application.

In 2014, the FCC's Second E-Rate Modernization Order increased the funding cap for the program to \$3.9 billion, indexed to inflation going forward (the cap in 2021 was \$4.276 billion).

Several studies address the successfulness of the E-rate program in various states. An early study by Ward (2005) found that program subsidies did not have any effect on academic outcomes of students in schools awarded E-rate discounts. Similarly, Goolsbee and Guryan (2006) concluded, "Using a variety of test score results, however, we do not find significant effects of the E-Rate program, at least so far, on student performance."²³ Their program evaluation (limited to schools in California) used detailed data on public schools including students' achievement test scores and the demographics of their communities. The authors found that the program subsidies did lead schools to spend more on telecommunications technology; however, test scores in math, reading and science showed no evidence of any effect on academic outcomes.

²² See the FCC *E-Rate Program*.

²³ Goolsbee and Guryan, p. 336.

More recently, Hazlett et al. (2016) conducted an empirical study using data from 374 North Carolina public high schools from 2000 to 2013, and found no improvement in student test results associated with E-rate subsidies. In fact, they found that a 1 percent increase in E-Rate spending per student in the district decreased the average math score for a school. The authors also used SAT scores to gauge educational improvement and found that increasing the amount of E-Rate funding that schools received had no impact on SAT scores. Lastly, they calculated how E-rate funding affected the ratio of students per Internet-connected computer since subsidies pay a percentage of the school's computer and Internet expenditures and found that decreasing the number of computers connected to the Internet would improve math scores.

Hazlett et al. (2016) stated the following:

The disappointment in the lack of a return is intensified by two additional reasons. First, the subsidies are the result of 18.2 percent tax on certain telephone charges. In addition to the economic distortion created by the tax, this tax is worse than most due to its regressive nature—everyone pays the same percentage regardless of their means. Given that our results show that increasing E-Rate funding has no impact on SAT scores, it seems logical that the money could be better spent on other educational reforms that might improve student performance...as there is no evidence that E-Rate spending improves any performance measure for students. (p. 14)²⁴

In a complementary magazine article, Hazlett (2016) noted that the Department of Education found that 98 percent of schools had broadband and 94 percent of classrooms were wired for high-speed connections by 2008 so that the goal of bringing Internet to schools was completed long ago.

E-Rate's effectiveness in increasing broadband Internet diffusion by spurring competition also was analyzed. Flamm (2015) used U.S. zip-code level data to examine whether the program had an identifiable and statistically significant impact on broadband Internet competition over the period of 2005-2008. He compared E-rate outcomes with outcomes from the smaller and more targeted Universal Service Fund's Rural Health Center program and found that the more highly-focused USF funding has had a statistically and economically significant impact on numbers of local broadband Internet service providers, while the E-Rate program generally did not in most areas. The latter was found to have no bearing on the number of competitors in most of the areas in which fund recipients were located and a slightly negative and statistically significant effect on broadband Internet provision in the majority of zip codes. In only the indigent or most rural areas was there any evidence that the E-Rate program had a statistically significant impact in stimulating greater competition in broadband Internet service provision, and when found, it was small.

G. Public Computing Centers

Public computer centers (PCCs) to improve broadband Internet supply was promoted first with the American Recovery and Reinvestment Act of 2009 (ARRA).²⁵ This Act mandated the National Broadband Plan, the goal of which was to ensure all Americans have access to broadband Internet.

²⁴ Haslett et al., p. 14.

²⁵ See the FCC's *American Recovery and Reinvestment Act of 2009*.

Broadband Internet provisions in the plan amounted to \$7.2 billion primarily for broadband Internet grant programs. The funds were distributed through two separate and partially overlapping programs—the Broadband Initiatives Program (BIP), administered by the Rural Utilities Service (RUS), and the Broadband Technology Opportunities Program (BTOP), run by the NTIA.²⁶ The ARRA provided \$2.5 billion for BIP and \$4.7 billion for BTOP, with the goals of construction and deployment of broadband Internet infrastructure to improve access and adoption, particularly in rural and lower-income areas.

Empirical results of studying all BTOP programs show little evidence of success in terms of economic outcomes, academic achievement, or household adoption resulting from funded grant programs (Beard et al., 2020; Hauge & Prieger, 2015).

BTOP grants included three types of projects: infrastructure in unserved and underserved areas, enhanced broadband Internet capacity at PCCs, and promoting sustainable broadband Internet adoption. \$50 million was allocated for PCC grants. The stated goal of the BTOP program was to ensure affordable access to at least 1 gigabit per second for schools, hospitals, and government buildings. The expectation was that the recipients would provide digital literacy and job training along with continuing education and entrepreneurship programs. A February 2010 BTOP report stated that \$22.8 million in grants had been awarded to PCC projects as of February 16, 2010.²⁷ While evidence shows that PCCs were established, there are few studies addressing whether those PCCs had any impact on adoption in the community or any other positive benefits for the communities in which they were established.

Chang (2021) used data on PCC grants and public library surveys to examine whether residential broadband Internet adoption rates had increased in counties in which libraries received grants and had successfully increased the number of Internet-connected computers available for use. The data was from 2009 to 2014. Chang found no evidence of increased broadband Internet adoption rates in those counties despite an increased number of Internet-connected computers.

Similarly, Whitacre and Rhinesmith (2015) examined the relationship between library and household broadband Internet adoption rates in rural areas of the U.S. They found that while library access and household adoption rates are correlated, statistical analyses revealed no evidence that counties with libraries that had increased Internet-accessible computers between 2008 and 2012 measurably impacted rates of adoption.

Similar to PCCs are community technology centers (CTCs). CTCNet was established as a national network of over 1,000 CTCs with the goal of providing access to communications services and technology infrastructure in economically disadvantaged areas. In 2006, CTCNet established the Connections for All program, which was formed to help CTCs make their programs and facilities more inviting and accessible to all.²⁸ To our knowledge, there are no studies on the impact of CTCs or the Connections for All program on access or adoption.

²⁶ See the United States Department of Commerce National Telecommunications and Information Administration *BTOP / SBI Archived Grant Program*.

²⁷ See the NTIA's *Quarterly Program Status Report*.

²⁸ See Great Nonprofits. *Community Technology Centers' Network, Inc. (Ctcnet)*.

Recently the American Rescue Plan Act of 2021, funded the Emergency Broadband Connectivity Fund (administered by the USAC). The Act establishes a \$7.17 billion program aimed at helping communities provide infrastructure, materials, and services to schools and libraries for remote learning during the pandemic.²⁹ Schools and libraries could receive Wi-Fi hotspots, modems, routers, and connected devices. To date, while data is available on implementation of the program, we have found no statistical studies analyzing program outcomes.

VII. Programs to Increase Broadband Adoption

A. Programs Addressing Price as a Barrier to Adoption

Price historically has been reported to inhibit household broadband Internet adoption, with some arguing that price is the key barrier to adoption and that prices are prohibitively high due to lack of competition or market power of incumbent providers. Broadband Internet prices are difficult to study as different performance tiers, options, and availability of bundles significantly affect advertised prices, and it is equally (if not more) difficult to determine a household's willingness to pay for a service they have not yet obtained. That said, there do exist numerous reports that reference survey respondents' assertions that price bars them from connecting. Prieger and Hu (2008) generated estimates of income elasticity of demand for DSL broadband Internet and found that demand increased with household income; however, their study lacks data from cable modem service and the data is from early years of broadband Internet development.

In May 2021, the FCC opened enrollment in its Emergency Broadband Benefit Program offering up to \$50 per month in broadband Internet subsidies for low-income U.S. households or for those who lost income during the pandemic.³⁰ Over 825 ISPs are participating in providing service, with the full list of available ISPs in each state showing that subsidies should be available in most areas that currently have home Internet access. The FCC stated that the program would continue until the \$3.2 billion in federal funding was exhausted, or six months after the Department of Health and Human Services declares the pandemic over. The program also allows eligible households to apply for a one-time discount of up to \$100 to purchase a computer for Internet access. In November 2021, the IIJA became law.³¹ This Act provides \$14.2 billion to extend the Emergency Broadband Benefit Program to a longer-term program called the Affordable Connectivity Program. These policies and the stated intent behind them reinforce the perception that households would adopt, but for the price of doing so. There is no evidence, however, that this perception is accurate as no empirical studies have been published that demonstrate change in adoption based on loss of income due to the pandemic.

While there appear to be no definitive international broadband Internet pricing studies, sources rank U.S. broadband pricing equivalent to that in peer countries. In its *Measuring Digital Development* report, the International Telecommunication Union (ITU) ranked the U.S. as tied for

²⁹ See the FCC's *Emergency Connectivity Fund*.

³⁰ The Affordable Connectivity Program replaced the Emergency Broadband Benefit Program on December 31, 2021. Information on the latter program and the changes instituted upon enactment of the former are available at <https://www.fcc.gov/broadbandbenefit>

³¹ Public Law 117-58, November 15, 2021. 135 STAT. 429. See the United States Department of Energy, Alternative Fuels Data Center.

sixth place globally for affordability of fixed broadband Internet prices as a percentage of gross national income capita (ITU, 2020). The Economist Intelligence Unit's *Inclusive Internet Index* also highlighted how the U.S. compared to 99 other countries in terms of Internet availability, and affordability (The Economist, 2021). The U.S. ranked third overall and first in affordability.³²

In sum, while high price remains an accepted political response to explain low adoption rates, other than the Prieger and Hu 2008 work, we find no empirical studies that determine price to be a significant barrier to adoption for most unconnected households.

B. Programs Addressing Lack of Computer Ownership

Lack of a computer in a household traditionally restricted broadband Internet adoption; however, technology now offers the ability to connect via mobile devices and increasingly those in unserved and underserved areas are taking advantage of that option. Initially as part of the (BTOP) in 2009, many broadband Internet programs targeted computer ownership as the first step in increasing adoption. For example, the Wireless Philadelphia Digital Inclusion Project showed that a free computer was a critical element in the success of their mission (OMG Center for Collaborative Learning, 2008). Similarly, Connect Kentucky's (2009) Computers 4 Kids program provided computers for low-income families with children.³³ The impact of these programs is uncertain however, as analysts most often report on program implementation rather than outcomes of such implementation and utilize subjective surveys of program administrators and participants rather than employing statistical methods to determine program effectiveness.

One exception is a 2020 study by Rosston and Wallsten, who examine Comcast's Internet Essentials (IE) program.³⁴ In 2011 as part of its approval of the Comcast-NBCU merger, the FCC mandated a commitment by Comcast to introduce a low-income broadband Internet program that Comcast branded Internet Essentials. As part of the program, eligible participants can purchase a laptop computer or Chromebook at a significantly reduced price. Rosston and Wallsten examined the IE program and found that approximately 66 percent of IE subscribers represented increases in low-income adoption as a result of the program, with the remaining subscribers being households that switched from a competitor and households that would have subscribed as part of a general upward trend in adoption. The authors concluded that it would be difficult to infer that subsidized computers made a difference in broadband Internet subscription.

Perrin and Bertoni (2017) used data from the Pew Research Center to discern possible digital literacy limitations as reason for lack of adoption. They found that providing a tablet computer with Internet access to people without prior Internet experience did not encourage 40 percent of subjects to use the Internet. Most (70%) called technical support at some point to get help with their device, and almost half experienced login issues.

Another possibility to encourage adoption is advocating use of mobile-only connections for Internet access. Manlove and Whitacre (2019b) studied the development of mobile-only Internet access

³² Note that countries with the same average price for broadband are equal only with respect to affordability if that price represents the same percentage of average income.

³³ See Connect Kentucky.

³⁴ See xfinity *Internet Essentials*.

from 2011 through 2015, and discovered that specific groups were more likely to be adopters of mobile-only Internet access. Specifically, older users increased their incidence of mobile only connection as did racial and ethnic minorities and households in non-metro areas. Additionally, some demographic groups had shifted to using a smartphone only. They noted that 68 percent of Americans owned a smartphone; those in rural areas were 6 percent more likely to connect to the Internet via smartphone than via a fixed connection (in comparison to those in urban areas). Lower income and less educated individuals also were higher adopters of smartphone only Internet access.

C. Programs Addressing Digital Illiteracy

Digital literacy refers to the ability to use digital technology effectively. Most programs attempting to rectify the problem of digital illiteracy target specific groups, such as the elderly, or those who are under-educated, disabled, minorities, women, at-risk youth, or urban or rural low-income households.

LaRose et al. (2007) found that prior experience with the Internet and the expected outcomes of using the Internet directly promoted broadband Internet adoption. With respect to demographic characteristics, the authors found that only age and income had direct impacts on adoption as younger and more educated individuals were more likely to adopt. They noted that differences in the adoption of high-speed Internet had previously been attributed to the demographics of rural communities, including age, education, and household income, but their work showed that the precursors of broadband Internet adoption were individuals' perceived benefits of the Internet, the ability to acquire those benefits, and a perception of value in using the Internet. Powell et al. (2010) found that libraries and other community organizations could compensate for shortages in digital skills that constitute barriers to adoption for some.

D. Other Programs Aimed at Increasing Adoption

Connected Nation

Since 2001, Connected Nation has participated in a least one project in all but eight states, offering programs to help bridge the digital divide.³⁵ Connected Nation's website states: "From state-based technology planning and mapping programs to national educational technology initiatives, Connected Nation has partners in all sectors including libraries, schools, state and local governments, large technology companies, and small businesses. Our impact on the adoption, access, and use of technology is vast."³⁶ However, no empirical evaluation of such programs is made available. We were able to locate only one empirical analysis of Connected Nation program outcomes. Manlove and Whitacre (2019a) offered an empirical analysis evaluating the effectiveness of the Connected Nation program in five states during 2012 and 2013. They found

³⁵ Digital divide refers to the gap between those with ready access to computers and the Internet, and those without. Researchers now categorize the first digital divide as pertaining to access to technology, the second digital divide as pertaining to computer use, and the third digital divide as differences in social and cultural benefits derived from Internet use.

³⁶ See Connected Nation.

that participation in the program had no statistically significant impact on broadband Internet adoption rates.

Various other broadband Internet adoption initiatives have been established within states, among groups of states, and for tribal areas. For example, Connected North was established in 2013 by Cisco to connect indigenous students to Internet.³⁷ Nevertheless, we were unable to find any empirical studies of such programs.

Research concentrating on other barriers to adoption analyze correlations among adoption and demographic characteristics as well as the Internet service offered. Clements and Abramowitz (2006) found that along with those having higher income, younger and more educated individuals and those with children were more likely to adopt broadband Internet. Weiner et al. (2012) found that race and ethnicity did not predict household-level broadband Internet adoption, and that the strongest factor for adoption was computer use by the household decision maker.

Wallsten (2016) found that for a FCC experimental broadband Internet project, providers (wireline and mobile) signed up less than 10 percent of the number of participants they had expected. His results express the difficulty of encouraging low-income households to sign up even with large discounts, suggesting that subsidies are likely to go to those who already subscribe. Subscribers also were willing to accept lower speed for lower prices. A conundrum is that while non-subscribers cite lack of knowledge as a barrier to adoption, they generally express a reluctance to accept digital literacy training classes. Wallsten noted that in one project, many were willing to forego an additional \$10 per month savings or a free computer to avoid taking digital literacy classes.

VIII. Rural Access and Adoption

The Rural Health Care Program (est. 1997) provides funding to eligible health care providers for telecommunications and broadband services necessary for the provision of health care.³⁸ The goal of the program is to improve the quality of health care available to patients in rural communities by ensuring that eligible health care providers have access to telecommunications and broadband Internet services. Rural and non-rural health care providers that are members of a consortium with more than 50 percent rural health care provider sites, receive a 65 percent discount on communications services. Beginning in 2016, health care provider funding requests exceeded the funding cap and in 2018 the FCC released the *Rural Health Care Program Funding Cap Order* increasing the annual funding cap to \$571 million as of 2017 and adjusting the cap for inflation going forward. Flamm (2015) found that the program had a significant impact in stimulating entry of local broadband Internet service providers in rural areas receiving grants.

Among the primary programs designed for increasing access and adoption in rural areas was the BIP instituted as part of the National Broadband Plan. BIP funds were intended for use in rural unserved and underserved areas and were made available for last mile and middle mile broadband Internet infrastructure projects areas that were at least 75 percent rural and unserved or underserved.³⁹ Eisenach and Caves (2011) used three case studies of programs subsidized by BIP to

³⁷ See Connected North.

³⁸ See the FCC *Rural Health Care Program*.

³⁹ See the *United States Senate Broadband Initiatives Program (BIP) Guide*.

provide evidence that broadband Internet service already was widely available in the proposed program areas. They also showed that the taxpayer cost per unserved household was above benchmarks established under the program.

Using data from the FCC, Department of Commerce, USDA Rural Development Agency and information on state-level policies from the California Public Utilities Commission, Wallsten (2005) found that subsidies provided through USDA's Rural Development broadband Internet program were not correlated with increased rural access to broadband Internet.⁴⁰ He summarizes:

While the analysis in this paper does not find a significant correlation between USDA broadband spending and broadband access, USDA Rural Development (2005) claims that 'Since 2001, Rural Development has utilized a variety of loan and loan guarantee programs to provide over \$3 billion in funding and assist over 1.3 million rural subscribers in accessing broadband.' The report does not provide any details on how the number 1.3 million was determined, or whether any empirical testing was done to determine whether the program itself was responsible for making broadband available to those 1.3 million people. However, taking USDA's numbers at face value implies that USDA Rural Development spent about \$2,300 per person connected. USDA's numbers thus seem to suggest that the program is not cost effective. For the same cost, for example, USDA could have paid for all 1.3 million people to subscribe to satellite broadband services for nearly five years.⁴¹

Under the Rural Digital Opportunity Fund (RDOF) established in 2020, the FCC approved up to \$20.4 billion in funding over a 10-year period to support the construction of broadband Internet networks in rural communities. Eligible areas include those without access to adequate broadband Internet services defined by the FCC as 25 Mbps downstream and 3 Mbps upstream. The program includes a two-part application process by which entities seeking to participate in an auction to provide service must establish financial and technical capabilities to be eligible to bid. Winning bidders then provide additional information about qualifications and the network that they intend to use to meet their obligations, among other details.⁴²

Also designed to connect rural communities to the Internet is the Rural Tribal Priority Window.⁴³ Under this program any federally recognized tribe or Alaska native village could apply for spectrum, designating their own desired license areas provided the entire area is rural tribal land. The available spectrum was a portion of the 2.5 GHz band with three channels: 49.5, 50.5 and 17.5 MHz. The 2.5 GHz band was suitable for both mobile coverage and fixed point-to-point uses. This program is no longer active; the window to apply was from February 3, 2020, to September 2, 2020. There were 419 applicants; applications are still being processed and no empirical studies are available.

⁴⁰ Wallsten did find that USDA's broader telecommunications program is correlated with increased rural broadband Internet access but shows that the program costs on average about \$1,500 per person who gains access to at least one provider, but who does not necessarily adopt broadband Internet.

⁴¹ Wallsten (2005), p. 5.

⁴² See Universal Service Administrative Co., *Rural Digital Opportunity Fund*.

⁴³ See the FCC's *2.5 GHz Rural Tribal Window*.

Hollman et al. (2020) noted that to address rural access and adoption and in particular the existence of an urban-rural digital divide, a need exists for accurate measurement and reporting to quantify such divide. The authors develop a quantitative measuring unit that computes Internet throughput in low population density areas. The throughput data is matched with a survey of user perceptions of Internet use; used together, Hollman et al. (2020) were able to estimate the actual throughput of rural versus urban users as well perceptions of users' Internet access. In addition to the collection device, the authors are collaborating with the Nebraska Public Power District and Nebraska Rural Electrification Association to obtain detailed data with which they can estimate differences in Internet connectivity between rural and non-rural areas. This quantitative evaluation appears to be able to evaluate any evidence of a rural-urban divide; however, at present, the authors acknowledge possible reliability issues with the measurement device and are unable to offer rigorous results as to the efficacy of the measure or an urban-rural divide in any given location. The authors state that in the future the measure will provide a method to accurately visualize the urban-rural digital divide, which will aid in planning for community initiatives to remedy the problem.

Silva et al. (2018) used the NTIA's National Broadband Map and the FCC's Form 477 data to construct an empirical model to investigate the determinants of broadband Internet adoption in rural areas. The authors find that broadband Internet is available in most of the census tracts included in their study, particularly noting availability in the tracts with more educated, wealthier, and older people who have more choices of providers and are more likely to adopt. The positive impact of the older population on adoption contradicts other studies' findings; however, it is possible that in the areas studied, the contradictory result is due to the type of connection (i.e., traditional fixed broadband Internet versus mobile broadband Internet subscription). A key result was that if rural broadband Internet availability were to increase to 100 percent, the adoption rate would increase by 6.12 percent. A cost benefit analysis would help determine if the goal of 100 percent adoption is optimal.

Lastly, Whitacre et al. (2015) conducted a statistical analysis using data from the FCC and the National Broadband Map to analyze the relationship between broadband Internet availability and adoption and income in rural areas. They asserted that empirical analyses to assess the degree to which a lack of infrastructure might be responsible for any urban-rural digital divide was scant. They demonstrated that existing metro–non-metro differences in infrastructure availability comprised approximately 38 percent of the 2011 broadband Internet adoption gap between areas, and that 52 percent of the gap was due to differences in characteristics such as education and household income.

Note: the ReConnect Loan and Grant Program was established to furnish loans and grants for the costs of construction, improvement, or acquisition of facilities and equipment needed to provide broadband Internet service in eligible rural areas.⁴⁴ Applications for loans and grants were accepted until March 9, 2022. In the first round of the ReConnect Program, USDA invested \$656,052,244 in high-speed broadband Internet infrastructure to create or improve e-Connectivity for rural customers across 33 states. To date, USDA has announced \$852,077,212 for projects in the second round of funding, for a total of \$1,508,129,456 invested through the ReConnect Program. We were unable to find any empirical analyses of outcomes from any of the funded projects.

⁴⁴ See the United States Department of Agriculture, *ReConnect Loan and Grant Program*.

IX. Supply-Side Factors that Affect and may Increase Broadband Adoption

To increase broadband Internet access and adoption among those who remain unserved and underserved, policymakers have relied primarily on supply-side programs that increase broadband Internet availability; however, demand-side programs also have been implemented. As availability has been found to be ubiquitous in areas that continue to have unserved and under-served households, it may be that supply-side and demand-side policies are inexorably connected and might most effectively be considered in conjunction with one another. Several studies address the degree to which supply and demand side factors are linked.

In 2001, Prieger empirically analyzed whether broadband Internet carriers avoided areas with high concentrations of low-income and minority households and found little evidence of such (Prieger, 2001b). He found that higher education levels, Spanish language use, and commuting distance (demand-side factors) as well as market size and Bell presence (supply-side factors) increased access probability, while inner city or rural location decreased access probability.

Using ITU data, Lee and Brown (2008) estimated factors that affect global broadband Internet adoption and found that the supply-side factors of inter-platform competition, Internet content, services, and applications, and faster broadband Internet speed, are positively associated with higher levels of adoption. The authors also found that income and education (demand-side factors) were not found to influence adoption.

X. Regulatory Framework Considerations

Bauer (2015) provided a useful framework by which to consider broadband Internet diffusion and adoption governance. While not empirically based, the author contended that established regulatory theory and practice may not provide reliable guidance because they are founded on prior technologies and industry structures that no longer exist. Moreover, how government and nongovernment forms of coordination affect diffusion and adoption outcomes is complicated by the existence of non-linear direct and indirect effects whose impact on performance is not well understood. Bauer noted that the right combination of policy instruments and coherence between technology and regulation is often more important than the type of policy instrument employed. He offered the following summary in Table 2 of varying effects of possible policy instruments.⁴⁵

⁴⁵ Bauer (2015, p. 19).

Table 2*Direct and Indirect Effects of Policy Instruments*

Governance instrument	Network operators		Content, application providers		Overall sectoral effect
	Incumbent	New entrant	Modular	Coupled	
R&D support	+	+	+	+	+
Demand-side measures	+	+	+	+	+
Mobile data roaming	-	+	+	+/-	?
Mobile net neutrality	-	+	+	+/-	?
Overall stakeholder effect	?	+	+	?	

Because broadband Internet technologies have different advantages for cost, usability, throughput, etc., a policy structure whereby different broadband Internet technologies compete and consumers can choose the technology (or combination thereof) that meets their needs is optimal. Bauer recommended technology neutral governance: regulation should neither require nor assume a particular technology. By extension, the rules should neither favor nor discriminate against a particular technology.

The assertions of Bauer's 2015 position paper are supported by empirical work examining the impact of regulatory interventions in broadband Internet markets. Using Ookla and Akamai data of realized download speeds for a sample of OECD and medium-income countries, Bauer (2014) showed that regulatory interventions such as unbundling or open access provision positively impacted broadband Internet availability in markets with limited competition. His results also provided evidence that the optimal policy for a given country was dependent on the specific context of a country so that no single best practice model emerged from the observations.

Similarly, Bauer and Tsai (2014) analyzed the effects of public policy on broadband quality, as they asserted that benefits from advanced ICT services were increasingly dependent on the quality of available connectivity. They specified that the most important factor with a positive effect on quality and quality improvements is competition. They also cited evidence that regulatory interventions such as unbundling or open access provision positively impacted markets with limited competition.

In a comparable study, Prieger et al. (2014) conducted an empirical analysis of quality competition among broadband ISPs using National Broadband Map data from 2011 to 2013 for local markets in California. Their results show that incumbent local exchange carriers (ILECs) improved the quality of their ADSL offerings when a cable provider entered the market, and also when cable operators started to offer higher speeds. However, ILEC ADSL providers did not raise their service quality in response to ADSL competition from CLECs but did improve speeds when CLECs deployed fiber in the market. These results substantiate Bauer and Tsai (2014) regarding the role of competition in maintaining quality.

Friederiszick et al. (2008) conducted a panel data analysis of 25 European countries to understand the correlation between entry regulation and infrastructure investment. They showed that stricter regulation negatively impacted infrastructure investment by entrants but had no effect on investments by incumbent providers. Using data from 20 EU countries, Grajek and Roller (2012) found that access regulation negatively affected investment incentives.

Biedny et al. (2021) analyzed legislation designed to increase broadband Internet availability by requiring state-funded construction projects to notify local Internet providers about the opportunity to bury conduit for easier wire installation in the future and permitting policies that require timely response from local jurisdictions regarding installation of broadband Internet equipment. Their data comes from Iowa, which passed such legislation in 2015. The authors determined that the legislation increased fiber availability by approximately 5 percent compared to states that had not passed such legislation; however, they found no impact on fixed wireless diffusion. They concluded that the results offered only limited support for the claim that such policies have any significant impact on broadband Internet fiber availability, and no support for benefits with respect to fixed wireless.

While they are older studies, Prieger's (2001a, 2007) panel data analyses of U.S. regulatory impacts on broadband Internet innovation showed that progress would have been greater if FCC regulations on the innovation and introduction of advanced telecommunications services had not been imposed, and that decreasing regulatory delays decreased time to introduce new services. Wright and Hazlett (2016) came to the same conclusion, finding that broadband Internet markets in the U.S. showed notable growth in response to deregulation reducing Title II requirements.⁴⁶

A final consideration is the impact of local loop unbundling (LLU) policies.⁴⁷ Hausman (2001, 2002) showed that LLU regulation in the U.S. impeded incumbents' deployment of network facilities required for DSL (advantaging cable operators).

Ovington et al. (2017) used data for EU-27 countries to estimate the impact of varying types of competition on broadband Internet adoption. They illustrated that LLU has had a positive impact on broadband participation, although the impact was smaller in areas where other networks already had a significant share of broadband Internet lines.

⁴⁶ Title II of the Telecommunications Act defines obligations of common carriers.

⁴⁷ LLU refers to the regulatory policy whereby the incumbent operator makes its infrastructure (physical wire connections) available to other providers. LLU might encourage competition by reducing economic barriers to entry, allowing new entrants to construct some components of their networks and obtain other components from the incumbent.

Appendix G

Federal and State Funds Available for Broadband Expansion and Support

	Name of Program	Agency	Funding	Description	Recipients/Eligible Applicants	Eligible Uses/Service to be Provided
Infrastructure Investment and Jobs Act (IIJA)	Broadband Equity, Access, and Deployment	NTIA	\$42.45 billion	The BEAD program appropriates \$42.45 billion for states, territories, the District of Columbia, and Puerto Rico to use for broadband planning, deployment, and adoption projects. Each will receive at least \$100 million, including an initial funding of \$5 million to support broadband planning, building capacity in state broadband offices and outreach and coordination with local communities. Each will submit a 5-year action plan which shall be informed by collaboration with local and regional entities. The remaining funding will be distributed based on a formula that considers the number of unserved and high-cost locations in the state, based on maps to be published by the Federal Communications Commission in 2022. Priority is for deployment in unserved locations (those below 25/3 Mbps), followed by underserved locations (those below 100/20 Mbps), and then community anchor institutions. See https://www.benton.org/blog/largest-us-investment-broadband-deployment-ever for additional details.	States, territories, D.C. states may not exclude cooperatives, nonprofit organizations, public-private partnerships, private companies, public or private utilities, public utility districts, or local governments.	Data collection, broadband mapping and planning (no more than 5% of state funding for planning); broadband infrastructure deployment to unserved and underserved areas (e.g. construction); connecting eligible community anchor institutions; promotion of broadband adoption, including through the provision of affordable internet-connected devices; provision of WiFi or reduced-cost internet access to multi-family housing units; and for other uses the NTIA determines are necessary to facilitate the goals of the program. Networks must provide speeds not less than 100 megabits per second download and 20 megabits per second upload.
	Affordable Connectivity Program	FCC	\$14.2 billion	ACP is an FCC Benefit program that helps ensure that low-income households can afford the broadband they need for work, school, healthcare and more by funding \$30/month discount for broadband internet service, and discounted devices for eligible households. It is a modification of the Emergency Broadband Benefit (EBB) which was funded at a higher level (\$50 monthly subsidy) from the Consolidated Appropriations Act, 2021.	Eligible households must meet federal poverty guidelines or other stated criteria. Service must be obtained from participating Internet Service Providers (which receive funding from FCC and apply discount to consumers' monthly bills.)	Helps low income households afford home broadband service by providing up to a \$30 monthly benefit on a household's monthly internet bill. For low-income households on Tribal lands, the benefit is up to \$75. Eligible households can receive a one-time discount of up to \$100 to purchase a laptop, desktop computer, or tablet if household contributes \$10-\$50 toward purchase. Limited to one monthly service discount and one device discount per household.
	Tribal Broadband Connectivity Program	NTIA	\$2 billion	IIJA adds funds for TBC program competitive grants for broadband infrastructure deployment; affordable broadband programs; distance learning; telehealth, digital inclusion efforts; and broadband adoption activities. Deadlines are extended to allow grantees more time for deployment and broadband adoption.	Tribal Governments, Tribal Organizations, Tribal Colleges or Universities	Planning (feasibility), broadband infrastructure deployment (construction), broadband adoption/digital literacy/tech support, digital skills training, Workforce Development, Devices/equipment, public connectivity/computer access, research and/or evaluation, data and/or mapping, smart communities/cities/regions, telehealth.
	State Digital Equity Planning Grant	NTIA	\$60 million	Formula grant program for states and territories to develop digital equity plans. Goal is to promote the meaningful adoption and use of broadband across targeted populations, including low-income households, aging populations, incarcerated individuals, veterans, individuals with disabilities, individuals with language barrier, racial and ethnic minorities, and rural inhabitants.	States, Territories, District of Columbia	Planning (e.g., feasibility).
	State Digital Equity Capacity Grant	NTIA	\$1.44 billion	Formula grant program with funds distributed via annual grant programs over five years to implement digital equity projects and support the implementation of digital equity plans, thereby promoting digital inclusion of targeted populations.	States, Territories, District of Columbia	Planning (e.g. feasibility), broadband adoption/digital literacy/tech support.

Name of Program	Agency	Funding	Description	Recipients/Eligible Applicants	Eligible Uses/Service to be Provided
State Digital Equity Competitive Grant	NTIA	\$1.25 billion	Discretionary grant program with funds distributed via annual grant programs over five years to implement digital equity projects, thereby promoting digital inclusion of targeted populations.	Local Education Agency; state governments, including any political subdivisions of the state; Tribal/Native American governments; non-profit organizations; community anchor institutions; and work Force development programs.	Broadband adoption/digital literacy/tech support, digital equity programs
Middle Mile Grants Program	NTIA	\$1 billion	The program funds construction, improvement or acquisition of middle mile infrastructure. Purpose is to expand and extend middle mile infrastructure to reduce the cost of connecting unserved and underserved areas to the internet backbone.	Eligible applicants include states, counties, cities/townships and their subdivisions; tribal governments; Native American entities; public utility districts; economic development authorities; regional planning councils; technology and telecommunications companies; electric utilities; electric cooperatives; and nonprofits.	Broadband infrastructure deployment (e.g., construction)
U.S. Dept. of Agriculture ReConnect Program	Dept. of Agriculture Rural Utilities Service (RUS)	\$1.926 billion	The ReConnect Program offers loans, grants and loan-grant combinations to build infrastructure and install equipment to provide modern, reliable high-speed Internet in rural America. ReConnect Program is funded by annual appropriations, CARES Act, and IJA.	Rural areas (specifically defined) without sufficient access to broadband (100Mbps down/20Mbps up). Eligible recipients include most state and local government entities, federally-recognized tribes, nonprofits, for-profit businesses, consortia of eligible entities.	ReConnect funds capital costs including construction, improvement, or acquisition of facilities and equipment needed to provide broadband capable of delivering 100 Mbps symmetrical service and acquisition of an existing system not currently providing sufficient access to broadband. Up to 5% may be used for preapplication expenses.
US. Dept. of Agriculture Broadband Loan program	Dept. of Agriculture Rural Utilities Service (RUS)	\$74 million	The Rural Broadband Access Loan and Loan Guarantee Program makes loans and loan guarantees to finance construction, improvement or acquisition of facilities and equipment needed to provide high speed broadband service in eligible rural areas.	Corporations, Limited Liability Company, Cooperative or Mutual Organizations; a State or Local Unit of Government.	Broadband loans provide funding on a technology-neutral basis for financing the construction, improvement and acquisition of facilities required to provide broadband service.
Private Activity Bonds	IRS Internal Revenue Code	\$600 million	States are allowed to issue Private Activity Bonds to finance broadband deployment, specifically for projects in rural areas where a majority of households do not have access to broadband (25/3 Mbps) if at least 90% of locations provided service did not have access to broadband before.	PABs can be issued by a local government, industrial development authority, housing finance authority, or other authorized entity, subject to state volume cap as allocated among regions by State of Florida.	The IJA amends the Internal Revenue Code creating a new category of exempt facility bond which is called "qualified broadband projects" to help fund those projects.
Affordable Connectivity Outreach Grants	FCC Wireline Competition Bureau	TBD	This program helps inform and educate consumers about the ACP program, the FCC may provide grants to outreach partners.	TBD	TBD
U.S. Dept. of Agriculture ReConnect Program	US Dept. of Agriculture Rural Utilities Service (RUS)	\$350 million in grants available for Tribal Governments, \$35 million max award; \$200 million in loans, \$50 million max award; \$250 million in combo loan/grant; \$350 million available for grants, \$35 million max award	ReConnect furnishes loans and grants to provide funds for the costs of construction, improvement, or acquisition of facilities and equipment needed to provide broadband service in eligible rural areas. Up to 5% of the award may be used for preapplication expenses.	Corporations, limited liability companies and partnerships, cooperatives or mutual organizations, states or local governments or subdivisions, territories, or Indian tribes.	Costs of construction, improvement or acquisition of facilities and equipment needed to provide broadband service in eligible rural areas. Potential awardees must meet a 100 Mbps symmetrical minimum service requirement in all proposed service area.

	Name of Program	Agency	Funding	Description	Recipients/Eligible Applicants	Eligible Uses/Service to be Provided
Existing Programs	Community Connect Grant Program	US Dept. of Agriculture Rural Utilities Service (RUS)	Community Connect Grant Program	Community Connect provides financial assistance to eligible applicants that will provide broadband service in rural, economically-challenged communities where broadband service does not exist (lacking 10/1 Mbps).	Incorporated organizations, federally recognized tribes, state and local units of government, other legal entities including cooperatives, private organizations, or LLCs.	The construction, acquisition, or leasing of facilities, spectrum, land or buildings used to deploy broadband service for all residential and business customers located within the Proposed Funded Service Area or all participating critical community facilities (such as public schools, fire stations, and public libraries) or for providing broadband service free of charge to same for two years.
	E-Rate – Schools and Libraries USF Program	FCC - Federal Universal Service Fund (USF)	Ongoing	The schools and libraries universal service support program, known as the E-rate program, helps schools and libraries to obtain affordable broadband by funding discounts for service pricing. Category one services are to a school or library (telecommunications, telecommunications services and Internet access), and category two services deliver internet access within schools and libraries (internal connections, basic maintenance of internal connections, and managed internet broadband services). Discounts for service pricing increase with the percentage of students eligible for free or reduced price school lunches, and vary depending on whether the school/library is located in an urban or rural area. Discounts range from 20% to 90% of the prices of eligible services. It is administered by the Universal Service Administrative Company under the FCC's direction and is not dependent on Congressional appropriations.	Schools and libraries	Telecommunications, telecommunications services and internet access (category one) and services that deliver internet access within schools and libraries such as internal connection, basic maintenance of internal connections, and managed internet broadband services (category two); Emergency Management Grants.
	Rural Digital Opportunity Fund (RDOF)	FCC - Federal Universal Service Fund (USF)	\$20.4 billion over 10 years, up to \$16 billion in Phase I, \$4.4 billion in Phase II	RDOF funding is awarded from the FCC Universal Service Fund through a reverse auction process for eligible areas – census blocks where no provider is offering broadband at 25/3 Mbps. Eligible entities (those which establish baseline financial and technical capabilities) may bid to serve one or more eligible areas. Bids must state a performance tier commitment – Minimum, Baseline, Above Baseline, or Gigabit – each of which has associated speed and other requirements. Upon notification of award, winning bidders must submit a detailed long form application for approval of funding to the FCC including certification of eligible telecommunications carrier status. Phase I funding is being awarded for the auction which concluded November 25, 2020. Phase II auction will occur to cover locations in census blocks that are partially served, as well as locations not funded in Phase I. FCC USF is not dependent on Congressional appropriations.	Entities seeking to participate must establish baseline financial and technical capabilities in order to be eligible to bid.	Construction of facilities to provide broadband and voice services to serve all locations in the eligible area at the committed performance tier (speed, latency, data usage). At least one broadband and voice service must be offered at rates that are reasonably comparable to the rates for similar service in urban areas.

	Name of Program	Agency	Funding	Description	Recipients/Eligible Applicants	Eligible Uses/Service to be Provided
	Lifeline	FCC - Federal Universal Service Fund (USF)	Ongoing	Lifeline program originated in 1985 to provide a discount on phone service for qualifying low-income consumers. In 2016 the FCC extended the program to provide discounts for broadband internet access. The Lifeline program is funded from the FCC's Universal Service Fund and administered by the Universal Service Administrative Company (USAC). USAC is responsible for data collection and maintenance, support calculation and disbursement for the Lifeline program. The FCC USF is not subject to Congressional appropriations.	Eligible low-income consumers in every state, territory, commonwealth, and on Tribal lands.	Discounted telephone service and broadband for low-income consumers.
	Connect America Fund CAF II	FCC - Federal Universal Service Fund (USF)	Ongoing (approximately \$5 billion annually to eligible recipients)	This is part of the Universal Service High Cost program and is designed to expand access to voice and broadband services for areas where they are unavailable.	Service providers	Subsidizes the cost of building network infrastructure or performing network upgrades to provide broadband in areas where it is lacking.
	Connecting Minority Communities Pilot Program	NTIA	\$268 million	The CMC program seeks to expand educational instruction and remote learning opportunities, spur economic development, create opportunities for employment and entrepreneurship, by building the digital capacity of the eligible institutions and furthering broadband access, adoption, and digital skills within those institutions and in their surrounding anchor communities. Grants are for the purpose of extending broadband internet access, connectivity and digital inclusion, and will be distributed to help these entities purchase broadband service or equipment, hire IT personnel, operate a minority business enterprise, and facilitate educational instruction and learning. The CMC program was established by the Consolidated Appropriations Act, 2021.	Historically Black Colleges or universities, Tribal Colleges or Universities and minority-serving institutions or eligible consortiums.	Purchase broadband service or equipment, hire IT personnel, operate a minority business enterprise, and facilitate educational instruction.
	Broadband Infrastructure Program	NTIA	\$288 million	This broadband deployment program is directed to partnerships between a state, or one or more political subdivisions of a state, and providers of fixed broadband service to provide qualifying broadband service (greater than 25/3 Mbps) to eligible service areas. Funding was established by the Consolidated Appropriations Act, 2021.	Partnership of a state or one or more subdivisions and a provider of fixed broadband service.	Grants to covered broadband projects, defined as competitively and technologically neutral projects for the deployment of fixed broadband service in eligible areas.
	Telecommunications Infrastructure Loans and Loan Guarantees	Dept. of Agriculture Rural Utilities Service (RUS)	Ongoing	This program provides financing for the construction, maintenance, improvement and expansion of telephone service and broadband in rural areas. The types of loans available are: cost-of-money loans from RUS; Loan Guarantees through the Federal Financing Bank; Hardship Loans from RUS to serve underserved areas.	State and local governmental entities; Federally Recognized Tribes; non-profits, including Cooperatives and limited dividend or mutual associations, for-profit businesses. Eligible areas are rural areas and towns with a population of 5,000 or less, areas without telecommunications facilities or areas where the applicant is the recognized telecommunications provider.	Loans may be used to finance telecommunications services in rural areas for new construction, improvements, expansions, acquisitions (if cost is incidental to cost of improvements), and refinancing.

	Name of Program	Agency	Funding	Description	Recipients/Eligible Applicants	Eligible Uses/Service to be Provided
	Coronavirus State and Local Fiscal Recovery Funds	Department of Treasury	\$10 billion	American Rescue Plan (ARPA) provides funds to eligible governments to be used to make necessary investments in broadband infrastructure which has been shown to be critical for work, education, healthcare, and civic participation during the public health emergency. The priority is to fund reliable, affordable broadband infrastructure and other digital connectivity technology projects. The program encourages projects that are designed to serve locations without access to reliable wireline 100/20 Mbps broadband service. Recipients must require the service provider to participate in the Affordable Connectivity Program.	States, territories, Tribal governments	The project invests in capital assets designed to directly enable work, education and health monitoring. The capital project is designed to address a critical need that resulted from or was made apparent or exacerbated by the Covid-19 public health emergency. The capital project is designed to address a critical need of the community to be served. Eligible uses include broadband infrastructure projects (with symmetrical speeds of 100 Mbps), Digital Connectivity Technology Projects, Multi-Purpose Community Facility Projects (that directly enable work, education and health monitoring) located in communities with critical need for the project. Also more may be eligible on case-by-case review.
	Florida Broadband Opportunity Fund	Florida Dept. of Economic Opportunity	FY 2022-23 appropriation of \$400 million from the General Revenue Fund contingent upon state receipt of federal Coronavirus State Fiscal Recovery Funds.	The appropriation is to expand broadband Internet service to unserved areas of the state through the Broadband Opportunity Program. Grants are to be made for installation or deployment of infrastructure that supports the provision of broadband Internet service pursuant to Fla. Stat. § 288.9962.	Eligible applicants include: corporations, limited liability companies, and general, or limited, partnerships that are organized under Florida law or authorized to do business in Florida; political subdivisions; Indian tribes; and governmental entities or educational institutions under certain circumstances (Fla. Stat. § 288.9962)	BOP to award grants to applicants who seek to expand broadband Internet service to unserved areas of Florida. Grants are to fund installation or deployment of infrastructure that supports the provision of broadband Internet service. Grant funds may not be used for broadband Internet service in areas where broadband is already deployed. The Florida Office of Broadband may not award grants to provide broadband in an area where federal funding has been awarded (Fla. Stat. § 288.9962).

Disclaimer: this table is compiled from identified source information and does not purport to collect all information regarding each and every broadband program. Rapid developments are occurring with regard to funding of broadband expansion in underserved and unserved areas. Please check relevant agency websites for updated and current information.

20-Apr-22

Sources:

1. Building A Better America: Guidebook to the Bipartisan Infrastructure Law for State, Local, Tribal, and Territorial
2. State and federal agency websites including the Florida Department of Economic Opportunity, Federal
3. Bipartisan Infrastructure and Jobs Act Summary: A Road to Stronger Economic Growth
4. Coronavirus State & Local Fiscal Recovery Funds: Overview of the Final Rule; U.S. Department of the Treasury
5. Online Sunshine, The 2021 Florida Statutes

Links:

- https://www.whitehouse.gov/wp-content/uploads/2022/01/BUILDING-A-BETTER-AMERICA_FINAL.pdf
See above.
- <https://www.cantwell.senate.gov/imo/media/doc/infrastructure%20investment%20and%20jobs%20act%20-%2>
- <https://home.treasury.gov/system/files/136/SLFRF-Final-Rule-Overview.pdf>
- <http://www.leg.state.fl.us/Statutes/index.cfm?Mode=View%20Statutes&Submenu=1&Tab=statutes>

