**Section 548.130 Administrative Requirements**

Grant opportunities and awards will be administered in a manner that complies with all State and federal requirements applicable to each funding opportunity, including, but not limited to, GATA, the Uniform Guidance and all applicable State or federal laws or guidance (e.g., Broadband Equity, Access, and Deployment Program Notice of Funding Opportunity at https://broadbandusa.ntia.doc.gov/sites/default/files/2022-05/BEAD%20NOFO.pdf). Grant applicants and grantees shall review all application materials and grant award documents, and shall follow the requirements listed in this Section.

a) Application Process

1) The Department will post one or more Notices of Funding Opportunity (NOFO) on the GATA Grantee Portal (https://grants.illinois.gov/portal/) seeking applications from eligible subgrantees contingent upon available funds. Funding is available for one or more of the eligible project activities listed in Section 548.120. A single NOFO may seek applications for more than one type of project. Applicants shall submit their application materials by the deadlines set by the Department in the NOFO, which will be at least 30 days after the NOFO posting.

2) As part of the application, applicants shall provide the following information about the proposed project:

A) a description of the purpose of the grant project;

B) a summary of key activities including a description of activities, eligible costs, communities served, technology and infrastructure metrics;

C) a description of the overall project including network design, diagram, project costs, build-out timeline and milestones for project implementation, and a capital investment schedule evidencing complete build-out and initiation of service within four years of receipt of the grant;

D) a description of the project's solution to the broadband related problem including the network technology, internet services and business strategy to drive adoption;

E) a description of the targeted beneficiaries of the project that addresses the location of the communities, market size, economic conditions of the service areas, and targeted customer segments, including providing information on the unserved and/or underserved areas (if applicable) that will be included within the scope of the project;

F) a narrative description of the organization's mission and operating history;

G) a description of the capabilities, experiences, and track record of the organization and its partners to successfully implement, operate and sustain the project including resumes for all key management personnel;

H) a description of the projects service area including a map of the proposed project area;

I) project impact statement including, but not limited to, the number of serviceable user segments, list of premises served, and list of interconnection points;

J) if applicable, the matching funds;

K) evidence the organization has the financial capabilities to meet the obligations associated with a projection including certification of available funds for all project costs that exceed the amount of the grant, letters of credit, audited financial statements, and financial sustainability/pro forma analyses of the proposed project;

L) the specific activities and costs proposed for the grant;

M) a requested budget and supporting justification of the costs requested;

N) evidence of community support for the project;

O) a detailed narrative regarding the project readiness;

P) a description of the project viability and sustainability including network capacity and scalability; and

Q) pricing strategy, affordability and adoption assistance.

R) evidence that the applicant has the competence, managerial, financial, technical, and operational capacity to carry out activities funded by the subgrant in a competent manner and in compliance with all State, territorial, and local laws.

3) Applications will be accepted on an ongoing basis until the funds for the program are depleted or the application period closes, whichever comes first.

b) Grant Award Selection

1) Grants will be awarded to eligible subgrantees following a merit review of the applications as required by GATA (44 Ill. Adm. Code 7000.350) and the applicable funding source. In evaluating applications, the Department will consider the following criteria for both priority and non-priority broadband projects:

A) The total BEAD funding required to complete the project, accounting for both total projected cost and the applicant's proposed match;

B) The applicant's commitment to provide the most affordable total price to the customer as demonstrated by the applicants pricing strategy, affordability, and adoption assistance described in the application;

C) The applicant's demonstrated record of and plans to be in compliance with federal and State labor and employment laws. Applicants without a record of labor and employment law compliance may make specific, forward-looking commitments to strong labor and employment standards and protections;

D) The speed to deployment; the prospective subgrantee's binding commitment to provision service by a date certain, subject to contractual penalties to the grantor, with greater benefits awarded to prospective subgrantees promising an earlier service provision date;

E) The quality of the project including speed of network and other technical capabilities (applications proposing to use technologies that exhibit greater ease of scalability with lower future investment and whose capital assets have longer useable lives will be given additional weight over those proposing technologies with higher costs to upgrade and shorter capital asset cycles);

F) The applicant's provision of open access wholesale last-mile broadband service for the life of the subsidized networks, on fair, equal, and neutral terms to all potential retail providers;

G) The level of community support and local coordination; and

H) Any additional information to demonstrate or support the proposed project.

2) The Department shall award funding in a manner that ensures that all unserved locations will be covered and that as many underserved locations as possible will be covered.

3) Applicants must include a match totaling 25% or more of total project costs, unless NTIA issues a waiver.

c) Grant Agreements

Any entity awarded a grant shall execute a grant agreement that sets forth the rights and responsibilities of the grantee and DCEO. The grant agreement shall reflect all applicable State and federal statutory and administrative requirements, including, but not limited to, provisions covering expenditure of grant funds and utilization of property purchased with grant funds. The Department reserves the right to suspend or terminate a grant agreement, recover grant funds received under this Part or withhold any future funding for non-compliance with the grant agreement provisions and applicable State and federal law and regulations.

d) Grant Disbursements

Disbursement of grant funds from the Department will be made in accordance with a schedule included in the grant agreement. The Department will disburse funds based on the grantee making satisfactory progress to implement grant activities.

e) Grant Performance, Monitoring and Reporting Requirements

Grantees shall comply with all State laws, as well as all GATA and Department requirements, that are set forth in the grant agreement for grant performance, administration, monitoring and reporting, including monitoring any subgrantees.

1) Grant performance goals and performance and expenditure reporting will be based on the specific grant project activities of each grant award and will follow GATA requirements (44 Ill. Adm. Code 7000.410), which include periodic financial and performance reports at least quarterly, or as required by the applicable funding source, and financial and performance close-out reports after the end of the grant term (see 44 Ill. Adm. Code 7000.440). The deadlines for all required reports will be set forth in the grant agreement.

2) Grant audits shall be based on the standards set forth in the GATA requirements (44 Ill. Adm. Code 7000.90).

3) Grantees must monitor their grant activities, and those of any subgrantees, to assure compliance with applicable State and federal requirements and to assure their performance expectations are being achieved. The Department will monitor the activities of grantees to assure compliance with all requirements and performance expectations of the award. Grantees shall timely submit all financial and performance reports, and shall supply, upon the Department's request, documents and information relevant to the award. The Department may monitor activities through site visits.

4) Grantees shall comply with all applicable State and federal laws, including, but not limited to, the Prevailing Wage Act [820 ILCS 130], the Illinois Works Jobs Program Act [30 ILCS 559/20], the Business Enterprise Program for Minorities, Females, and Persons with Disabilities Act [30 ILCS 575], the Employment of Illinois Workers on Public Works Act [30 ILCS 570], the Environmental Protection Act [415 ILCS 5], the Illinois Endangered Species Protection Act [520 ILCS 10], the Illinois Natural Areas Preservation Act [525 ILCS 30], the Interagency Wetland Policy Act of 1989 [20 ILCS 830], and the Illinois State Agency Historic Resources Preservation Act [20 ILCS 3420].

f) Grant Extensions

Contingent upon the availability of funds and consistent with GATA as applicable, the Department may negotiate grant extensions and add funds for grant projects that were originally competitively procured and performed successfully.

g) Records Retention

Grantees shall maintain, for the period of years set forth in the GATA rules (44 Ill. Adm. Code 7000.430(a) and (b)) and grant agreement, adequate books, all financial records and supporting documents, statistical records, and all other records pertinent to the Connect Illinois Broadband Grant Program BEAD Funded. If any litigation, claim or audit is started before the expiration of the retention period, the records must be retained until all litigation, claims or audit exceptions involving the records have been resolved and final action taken. The applicable retention period will be dependent on the source of funding for the grant award. Grantees shall be responsible for ensuring that contractors and subgrantees comply with the retention requirements.

h) Consistency with federal program specifications

DCEO will perform subgrantee selection in a manner consistent with the BEAD NOFO (incorporated by reference) and the Initial Proposal Volume 2 (incorporated by reference).

(Source: Amended at 48 Ill. Reg. 17501, effective November 20, 2024)