

Connect New Mexico Pilot Program
Frequently Asked Questions

1.0 Award Cycle

- **Is there any advantage toward applying in Wave One?**
 - The Review Team considers the application's merits, not the particular wave.
 - The Notice of Funding Opportunity (NOFO) notes that Wave Three is contingent upon funds remaining unallocated after the first two waves.
 - A proposal that is highly responsive to all the consideration factors listed in the Scoring Guide in Wave Two has a better chance of being funded than a proposal from Wave One that is partially responsive.

- **Is there a specific funding amount reserved for any particular wave?**
 - OBAE has not delineated a specific funding amount for any particular wave.

- **Are points the main factor in deciding which applications are awarded?**
 - The NOFO specifies the evaluation process. Specifically, projects that receive a higher proportion of the available points, especially relative to the average scores in a particular wave, then move into Phase II – Due Diligence.
 - If all open issues are resolved during Due Diligence, the project moves into Phase III – Final Selection. State Leadership will make a final determination for the award and consider: funding a diversity of projects across organizations, geographies, technologies, and business models; socioeconomic development priorities; broadband strategic planning activities; and coordination with other federal funding programs. Any challenges from existing service providers are also considered. Therefore, the score is an essential factor but not the sole factor.

- **Will applications not approved in the first wave automatically be rolled over for consideration in the second wave?**
 - Applications will be deemed as either “Incomplete,” “Rejected,” “Awarded,” or “Ongoing Review” during the review process. The “Ongoing Review” applies to projects for which further assessment is required – due to unresolved matters raised during Phase II – Due Diligence, or assessment required during Phase III – Final Selection. Thus, an application with the “Ongoing Review” status may still be under evaluation in the subsequent wave.

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- **Will an applicant be allowed to apply in a later wave if rejected or deemed incomplete in an earlier wave?**
 - OBAE strongly advises applicants to invest their limited resources and time to file a complete, highly responsive application just once. Applications will be deemed as either “Incomplete,” “Rejected,” “Awarded,” or “Ongoing Review” during the review process.
 - The timing of any announcement is uncertain. An applicant who receives an “Incomplete” or “Rejected” may return later to the subsequent wave if the subsequent window remains open.

- **Are projects in a specific wave compared to each other?**
 - Projects are reviewed based on their individual merits. As noted in the NOFO, projects that receive a higher proportion of the available points, especially relative to the average scores in a particular wave, then move into the Phase II - Due Diligence process.

2.0 Project Size

- **Can an applicant file multiple applications if the project areas involve both last- and middle-mile, but the total budget exceeds \$10 million per project?**
 - The Applicant can file multiple applications to manage this \$10 million ceiling. The Applicant should specify the complementary relationship between the two applications.

3.0 Eligible Expenses

- **Can the waiver of permits be considered an in-kind contribution?**
 - Waiver of permit fees can be an eligible in-kind contribution if they are a necessary part of the project and would otherwise be required for purchase if not contributed in-kind. In-kind donations must have and be relative to market value.
 - NOFO states these items are eligible for in-kind consideration: *Waivers associated with free or discounted access to rights of way, pole attachments, conduits, easements, or other types of tangible or intangible property required to deploy the network*

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4.0 Application

- **How strict will the limit of 300 words for the narrative sections be?**
 - The Application notes that each section's responses should be limited to 250 to 300 words. However, this word limit may be exceeded if required to be fully responsive to the question.
- **Which of the attachments will have templates provided for submission with the application?**
 - Templates have been provided for the Project Budget and Project Plan.

5.0 Scoring Guide

- **Will unserved areas be given a higher priority of funding than underserved areas?**
 - The Scoring Guide presents a table in Section A1 of Project Impact in which more points are assigned to unserved areas over underserved areas for the same project size and post-award speeds.
- **How does Section A1 of Project impact work when the application contains a mix of unserved and underserved areas?**
 - OBAE will apply a weighted average to determine the final points based on the number of premises applicable to the specific points in the table.

6.0 Duplication of Funding

- **Can an applicant apply for funding to deploy fiber for a project previously funded by a federal program to deploy fixed wireless or upgraded DSL?**
 - The Applicant may still apply for Pilot Project funds so long as the funds are applied to cost components that are distinguishable from costs reimbursed by the other federal funding program. An awardee will be required to certify in the Award Agreement that the funds requested from the Connect New Mexico Pilot Program have not been and will not be reimbursed by any other state or federal funding programs.

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7.0 Project Matching Contribution

- **Will OBAE consider funding a project totally funded by in-kind contribution?**
 - OBAE will review the project in totality based on all the factors and processes listed in the evaluation process of the NOFO. In-kind contributions will invite review based on the reasonableness of value and that those in-kind contributions are necessary for the project and would have otherwise been purchased.

8.0 Professional Engineer

- **The Score Guide notes that a PE certification is required as a gating factor – this appears to be the only reference to a PE certification throughout the released documents. Could more specific information be shared with this requirement?**
 - A Professional Engineer will be required to certify the network design and capabilities as a condition of receiving an Award Agreement. This is not a requirement for the Application. But having this PE certification in the application provides more credibility about purported speeds and performance factors.
- **Does the Professional Engineer need to be licensed in New Mexico?**
 - The Professional Engineer does not need to be licensed in New Mexico.
- **Can the Professional Engineer be an employee of the applicant or a project partner?**
 - The Professional Engineer can be affiliated with the applicant or project partner.

9.0 Confidentiality

- **Will applications be subject to the New Mexico Inspection of Public Records Act (IPRA)?**
 - Yes - All documents submitted to OBAE are subject to production under the IPRA. However, OBAE has implemented a process (explained below) that may allow an applicant to receive confidential treatment of information.
- **How can an applicant ensure that trade secrets and other confidential information are kept confidential?**
 - If your application contains trade secrets or confidential information, please file only a redacted version of your application. The OBAE compliance team will determine if your application can be fully scored with the available information. If the redacted information contains critical information that prevents the application from being fully scored, then OBAE staff will request an unredacted filing.

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- At that point, an applicant may submit a legally and factually justified request for confidential treatment of an unredacted filing. If OBAE grants the confidentiality request, OBAE will not produce the unredacted document in response to an IPRA request. If OBAE denies the confidentiality request, the applicant can either submit the unredacted information, which can be made public under IPRA or choose not to provide the required information, which means the application will be deemed “Incomplete.”
- If the applicant is filing a redacted version, please cite what specific information is being redacted to the question for which the response requires redaction.

10.0 Determining Unserved or Underserved Status

- **The FCC and Interactive Broadband Map incorrectly identify a census block as “served” when in fact it is “unserved” or “underserved.” How can an applicant demonstrate that the actual speeds qualify the proposed project area as unserved or underserved?**
- The NOFO notes that OBAE encourages applicants to provide survey-based data if the mapping data is deemed incorrect. Or, the applicant can provide speed test data, refer to the NTIA Indicators of Need tool, or cite other sources to corroborate that the area is unserved or underserved.

11.0 Project Area

- **The application requests the applicant to provide a detailed map and to identify every passed or covered premise. Must every premises be identified?**
- Please identify all passed and covered premises within the proposed service area (residents, businesses, farms, and institutions). This map, and the entire application, are part of the Award Agreement and will help OBAE validate that every cited premise actually receives service and whether the number of passed locations undermines the value of the project. Please review the directions in Question 4 from the application.

12.0 Procurement

- **Our vendors provided price quotes which enabled the preparation of the project budget. Are we prohibited from choosing that vendor?**
- An awardee must follow applicable federal and state laws and guidelines for procurement. For example, public sector grantees must ensure that purchases requiring competitive procurement reflect a process and practices that allow multiple vendors to participate. In such cases, applicants must document the following: the process used for vendor notification and requirements documentation (e.g., Request for Proposal);

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evaluation criteria (e.g., price, quality, availability, special support, etc.); ranking of responses.

- Sole source contracts are allowed for extenuating circumstances (e.g., recently completed a competitive process; vendor offers a product or service not available by others; long-standing commercial relationship by which bringing aboard a new product may disrupt an existing network).

13.0 Payment

➤ **How will OBAE process payments?**

- An applicant can seek reimbursement for paid expenses. OBAE is still developing the process to provide cash advances for vendor invoices.