

## ReConnect Program: Frequently Asked Questions

### Evaluation Criteria and Scoring Inquiries for Round 4 Funding Opportunities

Updated: September 1, 2022

**Question: Where can I find an explanation of application evaluation points?**

**Answer:** The application evaluation point system is provided in the August 4, 2022 Funding Opportunity Announcement (FOA). Evaluation criteria can also be found at <https://www.usda.gov/reconnect>. Additional information is provided in the application guide – which is currently being updated – and will be made available before the application window opens at <https://www.usda.gov/reconnect> under “Forms and Resources”.

**Question: What are the application evaluation criteria?**

**Answer:** Please consult the August 4, 2022 Funding Opportunity Announcement (FOA) for thorough details on evaluation criteria. Applications for loan-grant combinations, 100 percent grants, 100 percent grants for Alaska Native Corporations, Tribal Governments, Colonias, Persistent Poverty Areas, and Socially-Vulnerable Communities, and Projects where 90% of households lack sufficient access to broadband are scored and ranked against the following criteria:

Evaluation Criteria	Points
Rurality of the Proposed Service Area	25
Level of Existing Service	25
Economic Need of the Community	20
Affordability	20
Labor Standards	20
Tribal Areas	15

Local Governments, Nonprofits, and Cooperatives	15
Socially-Vulnerable Communities	15
Net Neutrality	10
Wholesale Broadband Services	10
Total: 175 Points	

**Question: Can you provide more details on how to qualify for the points associated with each element of scoring?**

**Answer:** While we recommend you always refer to the FOA, regulation, and application guide (which is currently being updated and will be made available before the application window opens at <https://www.usda.gov/reconnect> under “Forms and Resources”) for comprehensive guidance, here is a summarization of scoring criteria:

- Rurality of PFSA (25 points):** Points will be awarded for serving the least dense rural areas as measured by the population of the Proposed Funded Service Area (PFSA) per square mile, or if the PFSA is located at least 100 miles from a city or town with a population of greater than 50,000 people. If multiple service areas are proposed, the density calculation will be made on the combined areas as if they were a single area; not based on average densities. For population densities of six or less or if the PFSA is located one hundred miles from a city or town of 50,000, 25 points will be awarded.
- Level of existing service (25 points):** Projects proposing to build in areas where at least 50 percent of the households in each proposed service area are not receiving service of at least 25 Mbps downstream, 3 Mbps upstream will receive 25 points. Applicants must provide supporting evidence that 25 Mbps downstream, 3 Mbps upstream service does not exist for those households. To the extent possible, applicants must identify all existing providers in the PFSA and indicate what level of service is actually being provided.
- Economic need of the community (20 points):** Economic need is based on the county poverty percentage of the PFSA in the application. The percentages must be determined using the United States Census Small Area Income and Poverty Estimates (SAIPE) Program. For applications

where 75 percent of the PFSA(s) are proposing to serve communities with a SAIPE score of 20 percent or higher, 20 points will be awarded. Proposed funded service areas located in geographic areas for which no SAIPE data exist will be determined to have an average SAIPE poverty percentage of 30 percent. Such geographic areas may include territories of the United States or other locations eligible for funding through the ReConnect Program. A GIS layer identifying SAIPE areas can be found in the RUS mapping tool located at

<https://tinyurl.com/4m7bax9m>

- **Affordability (20 points):** Applicants can receive 20 points if, in their service offerings, they include at least one low-cost option offered at speeds that are sufficient for a household with multiple users to simultaneously telework and engage in remote learning.
- **Labor Standards (20 points):** It is important that necessary investments in broadband infrastructure be carried out in ways that produce high-quality infrastructure and promote efficiency. We understand the importance of promoting workforce development, and we encourage recipients to ensure their broadband projects use strong labor standards consistent with Tribal laws when projects propose to build infrastructure on Tribal Lands. Using these practices in construction projects promotes effective and efficient delivery of high-quality infrastructure and supports economic recovery through employment opportunities for workers, but may also help to ensure a reliable supply of skilled labor that would minimize disruptions, such as those associated with labor disputes or workplace injuries.
  - o Applicants should include in their applications a description of whether, and if so, how the project will incorporate three categories of strong labor standards and protections:
    1. Strong labor standards: whether workers (including contractors and subcontractors) will be paid wages at or above the prevailing rate\*; whether the project will be covered by a project labor agreement; and/or whether the project will use a unionized project workforce; and
    2. Demonstrated compliance with and plans for future compliance with labor and employment laws: whether the applicant has any violations of tribal, state, or federal labor, workplace safety and health, or employment laws within the last five years; and/or whether the applicant, its contractors, or subcontractors will commit to union neutrality; and/or whether the applicant, its contractors, or subcontractors will commit to permitting workers to create health and safety committees that management will meet with upon reasonable request; and
    3. A plan to recruit and support an appropriately skilled, trained, and credentialed workforce (including by contractors and subcontractors): whether work will be

performed by a directly employed workforce or whether the employer has policies and practices in place to ensure employees of contractors and subcontractors are qualified; how the applicant will ensure use of an appropriately credentialed workforce (i.e., satisfying requirements for appropriate and relevant pre-existing occupational training, certifications, and licensure); and/or whether a locally-based workforce will be used. In addition, the plan should include whether there are any partnerships with training providers, unions, or community colleges to support the recruitment and training of the workforce.

\*Prevailing rate means that all laborers and mechanics employed by contractors and subcontractors are paid wages at rates not less than those prevailing, as determined by the U.S. Secretary of Labor in accordance with the Davis-Bacon Act (information available at this link: <https://go.usa.gov/xexef>). Please refer to the Davis-Bacon Act for all questions pertaining to prevailing wages.

For applicants that commit to strong labor standards, consistent with Tribal laws when the project proposes to build infrastructure on Tribal Lands, 20 points will be awarded. An applicant requesting these points must incorporate components from each of the three categories above. Projects that propose to build infrastructure on Tribal Lands must follow Tribal Laws such as the Tribal Employment Rights Ordinances to be in compliance with a ReConnect award, regardless of receiving points under this standard. The Agency reserves the right to adjust award amounts for unforeseen circumstances.

- **Tribal Lands (10 or 15 points):** For applicants that are Tribal Governments and Tribal Government wholly owned entities and, at least, 75 percent of the geographical area of the PFSA(s) will provide service on Tribal lands, 15 points shall be awarded. For non-Tribal Governmental entities where at least 50 percent of the geographical area of the PFSA(s) will provide service on Tribal Lands, 10 points shall be awarded. Tribal lands are analyzed using the GIS layers (Tribal Area (BIA LAR); Tribal Supplemental Area (BIA LAR); and Tribal Statistical Area (BIA)) in the RUS mapping tool located at: <https://usda.gov/reconnect>. For applicants that are Alaska Native Corporations (ANC) or Alaska Native Tribal Government where at least 50 percent of the geographical area of the PFSA(s) is on Census Tribal areas in Alaska, 15 points shall be awarded. For non-ANC or non-Alaska Tribal Government entities where at least 50 percent of the geographical area of the PFSA(s) is on Census Tribal areas in Alaska, 10 points shall be awarded. Census Tribal areas in Alaska will be analyzed using the GIS layer (Alaska Census Tribal Areas) in the RUS mapping tool located at <https://usda.gov/reconnect>.

- **Local governments, nonprofits and cooperatives (15 points):** Applications submitted by local governments, nonprofits or cooperatives (including projects involving public-private partnerships where the local government, nonprofit, or cooperative is the applicant) will be awarded 15 points. As defined by the August 4, 2022, Funding Opportunity Announcement (FOA), “local government” means “the administration of a particular town, county, or district, with representatives elected by those who live there.”
- **Socially-Vulnerable Communities (15 points):** For applications where at least 75 percent of the PFSA(s) propose to serve Socially-Vulnerable Communities, as defined in the August 4, 2022, FOA, 15 points will be awarded.
- **Net neutrality (10 points):** For applicants that commit to net neutrality, 10 points will be awarded. A board resolution or its equivalent must be submitted in the application confirming that the applicant’s networks shall not:
  1. block lawful content, applications, services, or non-harmful devices, subject to reasonable network management
  2. impair or degrade lawful internet traffic on the basis of internet content, application, or service, or use of a non-harmful device, subject to reasonable network management
  3. engage in paid prioritization – meaning the management of a broadband provider’s network to directly or indirectly favor some traffic over other traffic – including through use of techniques such as traffic shaping, prioritization, resource reservation, or other forms of preferential traffic management, either (a) in exchange for consideration (monetary or otherwise) from a third party, or (b) to benefit an affiliated entity
- **Wholesale broadband services (10 points):** Companies that propose to buy market access, bandwidth, functionality and servicing on a wholesale basis with the intent of reselling their purchased “capacity” on the retail market to businesses and consumers, with terms that are reasonable and nondiscriminatory will receive 10 points.

**NOTE:** Partial points will not be awarded for any scoring criteria.

**Question: I'm interested in the 100 percent grant funding category for Projects where 90 percent of households lack sufficient access to broadband. In order to receive points for the "Level of existing service" scoring criteria, must 50 percent of households in my PFSA(s) lack access to at least 25/3 service? Or must 90 percent of households in my PFSA(s) lack access to at least 25/3 service?**

**Answer:** In order to receive 25 points for "Level of existing service", at least 50 percent of households in each proposed service area must lack access to 25/3 service. This is applicable across all funding categories, including the 100 percent grant from projects where 90 percent of households lack sufficient access to broadband.

**Question: In order to receive 20 points under the Labor Standards scoring criteria, does an applicant need to fully comply with the Davis Bacon Act or do only paid wages need to be at or above Davis Bacon Act prevailing rates?**

**Answer:** In order to receive points under Labor Standards, applicants must address three different labor standards categories. Applicants must demonstrate:

- Strong labor standards;
- Compliance with and plans for future compliance with labor and employment laws; and
- A plan to recruit and support and appropriately skilled, trained, and credentialed workforce.

Applicants may address the strong labor standards category by demonstrating that workers (including employees of contractors and subcontractors) are paid wages at or above the prevailing rate included in subchapter IV of chapter 31 of title 40, United States Code (commonly known as the "Davis-Bacon Act"). Full compliance with the Davis Bacon Act is not required and the FOA outlines alternative options to demonstrate strong labor standards. Please note: All three categories noted above must be addressed in order to receive 20 points for Labor Standards.

**Question: How does an applicant determine what an affordable rate is for the PFSA?**

**Answer:** Review the median household income for the PFSA, identify any potential competition in the PFSA – including what rates they are proposing – and also review Federal Communications Commission (FCC) Urban Rate Survey Data and Resources (available at this link: <https://go.usa.gov/x35x>). Use this information to demonstrate the affordability of your application's proposed rate packages. You also are free to provide additional supporting information on the low-cost option you propose.

**Question: How will an applicant receive points for Labor Standards?**

**Answer:** Applicants should include in their applications a description of whether, and if so, how the project will incorporate three categories of strong labor standards and protections:

1. Strong labor standards: whether workers (including contractors and subcontractors) will be paid wages at or above the prevailing rate\*; whether the project will be covered by a project labor agreement; and/or whether the project will use a unionized project workforce; and
2. Demonstrated compliance with and plans for future compliance with labor and employment laws: whether the applicant has any violations of tribal, state, or federal labor, workplace safety and health, or employment laws within the last five years; and/or whether the applicant, its contractors, or subcontractors will commit to union neutrality; and/or whether the applicant, its contractors, or subcontractors will commit to permitting workers to create health and safety committees that management will meet with upon reasonable request; and
3. A plan to recruit and support an appropriately skilled, trained, and credentialed workforce (including by contractors and subcontractors): whether work will be performed by a directly employed workforce or whether the employer has policies and practices in place to ensure employees of contractors and subcontractors are qualified; how the applicant will ensure use of an appropriately credentialed workforce (i.e., satisfying requirements for appropriate and relevant pre-existing occupational training, certifications, and licensure); and/or whether a locally-based workforce will be used. In addition, the plan should include whether there are any partnerships with training providers, unions, or community colleges to support the recruitment and training of the workforce.

For applicants that commit to strong labor standards, consistent with Tribal laws when the project proposes to build infrastructure on Tribal Lands, 20 points will be awarded. An applicant requesting these points must incorporate components from each of the three categories above. Projects that propose to build infrastructure on Tribal Lands must follow Tribal Laws such as the Tribal Employment Rights Ordinances to be in compliance with a ReConnect award, regardless of receiving points under this standard. The Agency reserves the right to adjust award amounts for unforeseen circumstances.

\*Prevailing rate means that all laborers and mechanics employed by contractors and subcontractors are paid wages at rates not less than those prevailing, as determined by the U.S. Secretary of Labor in



accordance with the Davis-Bacon Act (information available at this link: <https://go.usa.gov/xexef>). Please refer to the Davis-Bacon Act for all questions pertaining to prevailing wages.

**Question: How is population density (or rurality) calculated for application points?**

**Answer:** For the purposes of the ReConnect Program, rurality is measured in one of two ways:

1. If the population of the proposed funded service area per square mile is 6 or fewer people
2. If the proposed funded service area is located at least 100 miles from a population center (a city or town with a population of greater than 50,000).

If multiple service areas are proposed, the density calculation will be made on the combined areas as if they were a single area, not the average densities. **Note:** areas with population densities with fewer people per square mile will receive the same number of points as areas with 6 or fewer people per square mile. No partial points will be awarded for other densities.

**Question: How do I get points for wholesale broadband services?**

**Answer:** Companies that propose to buy market access, bandwidth, functionality and servicing on a wholesale basis with the intent of reselling their purchased “capacity” on the retail market to businesses and consumers, with terms that are reasonable and nondiscriminatory will receive 10 points.

**Question: Are all scoring criteria “all or nothing,” or can partial points be awarded?**

**Answer:** Scoring criteria points are “all or nothing.” Partial points are not awarded under any of the ReConnect scoring criteria. Your application will either receive all points available in a given scoring category, or none.

**Question: Are evaluation criteria datasets available for download?**

**Answer:** Yes. The datasets used to determine evaluation criteria are available to download at this link: <https://go.usa.gov/xext6>. **Note:** These datasets represent a specific moment in time and will not be modified during the course of the current Funding Opportunity Announcement (FOA), nor can the data be challenged. The Evaluation Criteria Datasets available for download include:

- Economic Need of the Community (SAIPE)
- Rurality – 100 Miles from Urbanized Areas



- Socially-Vulnerable Communities
- Tribal Supplemental Area (BIA LAR)
- Tribal Area (BIA LAR)
- Tribal Statistical Area (BIA)
- Tribal Area in Alaska (Census)