

Notice of Fund Availability

New Jersey Board of Public Utilities Availability of Grant

The New Jersey Board of Public Utilities (“BPU” or “Board”), located at 44 South Clinton Ave, Trenton, New Jersey 08625, hereby announces the availability of a grant as authorized by the Department of Commerce, National Telecommunications and Information Administration (“NTIA”) Notice of Funding Opportunity (“NOFO”) No. NTIA-DE-PLAN-2022. Dated May 13, 2022.

Name of program: STATE DIGITAL EQUITY PLANNING GRANT PROGRAM PURSUANT TO SECTION 60304(C) OF THE INFRASTRUCTURE INVESTMENT AND JOBS ACT

Purpose:

To conduct the development and implementation of an equity focused needs assessment that will gather data and insight into identifying the resources, needs, barriers, as well as opportunities where existing community-based organizations and institutions in those communities with the greatest access gaps could be leveraged to inform the development and implementation of a comprehensive statewide Digital Equity Plan (“the Plan”), pursuant to a NTIA grant award. The Plan must be submitted to NTIA by October 31, 2023, unless a 180 day extension is afforded to the State of New Jersey.

Eligibility:

A “Grantee” shall be an organization, designated by the Board, to assist with the development and implementation of the State’s Digital Equity Plan in accordance with the NOFO. Grantees must meet the eligibility and qualification requirements that appear throughout this document and provide the following:

1. A description of how the grantee will assist the State with the development of its Plan;
2. A description of the anticipated cost of the grantee’s assistance with development of the Plan;
3. A certification identifying the eligibility category, within those “Eligible Entities” categories listed below, applicable to the grantee, along with an explanation if necessary.
4. A comprehensive breakdown of all anticipated costs (Budget Narrative).
 - a. The Budget Narrative must explain the necessity and basis for all costs, clearly correspond to the information included in a Detailed Budget, in the form of a spreadsheet, and reflect only allowable costs.

Goal:

To assist in the development the Digital Equity Plan for the State of New Jersey, consistent with the terms of the Digital Equity Planning Grant, as promulgated by the Department of Commerce, NTIA NOFO No. NTIA-DE-PLAN-2022, dated May 13, 2022, which is incorporated by reference into this notice. The NOFO is accessible at: <https://www.grants.gov/web/grants/view-opportunity.html?oppId=340301> (under the Related Documents tab). The Plan must be submitted to NTIA by October 31, 2023, unless an extension is granted.

Background:

The Digital Equity Act (“DEA”), passed pursuant to Section 60304(c) of the Infrastructure Investment and Jobs Act, aims to promote the achievement of digital equity and support digital inclusion activities. The DEA allocates \$2.75 billion to establish three main grant programs: the (1) State Digital Equity Planning Grant, which awards \$60 million to States to develop State Digital Equity plans or similar plans; (2) the State Digital Equity Capacity Grant Program, which will award \$1.44 billion over 5 years to States for the purpose of implementing their State Digital Equity Plans; and (3) the Digital Equity Competitive Grant Program, which makes available \$1.25 billion in grant awards over 5 fiscal years for private sector, public sector, and not-for-profit entities to advance digital equity and engage in digital inclusion activities.

Under the DEA, States interested in participating in the State Digital Equity Capacity Grant Program must first apply for State Digital Equity Planning Grants and complete State Digital Equity Plans. A State Digital Equity Plan is a critical predicate for achievement of

digital equity goals as the drafting of such a plan provides states the opportunity to cast a vision for, and think critically about, how they will support the achievement of digital equity in their State. Planning should bring a diverse set of stakeholders to the table, assess data, and more to ensure that capacity funding is used most effectively to close the digital divide in each State. The Plan should include a clear description of the State's vision for digital equity in the context of its overarching strategy and goals.

Pursuant to Section IV.C.1.b.i of the NOFO, the Plan must include the following:

The statutory requirements for the contents of the State Digital Equity Plans are set forth in Section 60304(c)(1) of the Infrastructure Act, and are listed below:

1. Identification of barriers to digital equity faced by Covered Populations in the State;
2. Measurable objectives for documenting and promoting, among each Covered Population located in that State
 - a. The availability of, and affordability of access to, fixed and wireless broadband technology;
 - b. The online accessibility and inclusivity of public resources and services;
 - c. Digital literacy;
 - d. Awareness of, and the use of, measures to secure the online privacy of, and cybersecurity with respect to, an individual; and
 - e. The availability and affordability of consumer devices and technical support for those devices.
3. An assessment of how the measurable objectives identified in item 2 of this Section IV.C.1.b.i will impact and interact with the State's
 - a. Economic and workforce development goals, plans, and outcomes;
 - b. Educational outcomes;
 - c. Health outcomes;
 - d. Civic and social engagement; and
 - e. Delivery of other essential services.
4. In order to achieve the measurable objectives identified in item 2 of this Section IV.C.1.b.i, a description of how the State plans to collaborate with key stakeholders in the State, which may include:
 - a. Community anchor institutions;
 - b. County and municipal governments;
 - c. Local educational agencies;
 - d. Where applicable, Indian Tribes, Alaska Native entities, or Native Hawaiian organizations;
 - e. Nonprofit organizations;
 - f. Organizations that represent—
 - i. Individuals with disabilities, including organizations that represent children with disabilities;
 - ii. Aging Individuals;
 - iii. Individuals with language barriers, including—
 1. Individuals who are English learners; and
 2. Individuals who have low levels of literacy;
 - iv. Veterans; and
 - v. Individuals in that State who are incarcerated in facilities other than Federal correctional facilities;
 - g. Civil rights organizations;
 - h. Entities that carry out workforce development programs;
 - i. Agencies of the State that are responsible for administering or supervising adult education and literacy activities in the State;
 - j. Public housing authorities in the State; and
 - k. A partnership between any of the entities described in clauses (a) through (k).
5. A list of organizations with which the Administering Entity for the State collaborated in the developing of the Plan.

In addition to all of the above requirements, the State Digital Equity Plan developed with planning grant funds shall, at a minimum, include the following, pursuant to Section IV.C.1.b.ii of the NOFO:

1. A stated vision for digital equity;

2. A digital equity needs assessment, including a comprehensive assessment of the baseline from which the State is working and the State's identification of the barriers to digital equity faced generally and by each of the covered populations in the State;
3. An asset inventory, including current resources, programs, and strategies that promote digital equity for each of the covered populations, whether publicly or privately funded, as well as existing digital equity plans and programs already in place among municipal, regional, and Tribal governments;
4. To the extent not addressed in connection with item 4 of Section IV.C.1.b.i, a coordination and outreach strategy, including opportunities for public comment by, collaboration with, and ongoing engagement with representatives of each category of covered populations within the State and with the full range of stakeholders within the State;
5. A description of how municipal, regional, and/or Tribal digital equity plans will be incorporated into the State Digital Equity Plan;
6. An implementation strategy that is holistic and addresses the barriers to participation in the digital world, including affordability, devices, digital skills, technical support, and digital navigation. The strategy should (a) establish measurable goals, objectives, and proposed core activities to address the needs of covered populations, (b) set out measures ensuring the plan's sustainability and effectiveness across State communities, and (c) adopt mechanisms to ensure that the plan is regularly evaluated and updated;
7. An explanation of how the implementation strategy addresses gaps in existing state, local, and private efforts to address the barriers identified pursuant to Section IV.C.1.b.i, item 1, of this NOFO;
8. A description of how the State intends to accomplish the implementation strategy described above by engaging or partnering with:
 - a. Workforce agencies such as state workforce agencies and state/local workforce boards and workforce organizations;
 - b. labor organizations and community-based organizations; and
 - c. Institutions of higher learning, including but not limited to four-year colleges and universities, community colleges, education and training providers, and educational service agencies;
9. A timeline for implementation of the plan; and
10. A description of how the State will coordinate its use of State Digital Equity Capacity Grant funding and its use of any funds it receives in connection with the Broadband Equity, Access, and Deployment Program, other federal or private digital equity funding.

Additionally, pursuant to Section IV.C.2.b of the NOFO, a profit, fee, or other incremental charge above actual cost is not an allowable cost under this program.

GRANT SOLICITATION PROCESS

Amount of funds available in the program:

The State Digital Equity Planning Grant provides \$60 million to States to develop State Digital Equity Plans or similar plans. New Jersey has received \$1,176,741 to fund planning activities.

Eligible Entities:

Organizations and Institutions with experience gathering data and insight into identifying the resources, needs, barriers, as well as opportunities to develop and implement an equity focused needs assessment.

An application may only be submitted by the eligible agency/entity itself.

Additionally, pursuant to Section IV.C.1.a.2 of the NOFO, and as set forth in Section 60304(c)(3)(E) of the Infrastructure Act, the following entities may assist with the development of the Plan:

- a. Community anchor institutions;
- b. County and municipal governments;
- c. Local educational agencies;
- d. Where applicable, Indian Tribes, Alaska Native entities, or Native Hawaiian organizations;
- e. Nonprofit organizations;
- f. Organizations that represent—
 - i. Individuals with disabilities, including organizations that represent children with disabilities;
 - ii. Aging Individuals;

- iii. Individuals with language barriers, including—
 - 1. Individuals who are English learners; and
 - 2. Individuals who have low levels of literacy;
- iv. Veterans; and
- v. Individuals in that State who are incarcerated in facilities other than Federal correctional facilities;
- g. Civil rights organizations;
- h. Entities that carry out workforce development programs;
- i. Agencies of the State that are responsible for administering or supervising adult education and literacy activities in the State;
- j. Public housing authorities in the State; and
- k. A partnership between any of the entities described in clauses (a) through (k).

Qualifications needed by an applicant:

Applicants for funding must have demonstrated staff and resource capability, and experience with developing digital equity strategic plans.

Proposal instructions:

Inquiries: Please direct email inquiries regarding this Notice to broadband@bpu.nj.gov no later than 5:00 p.m. on August 28, 2023. Answers to all questions submitted by this date will be posted by 5:00 p.m. on September 5, 2023 on the BPU website at www.nj.gov/bpu.

Proposals due: All proposals must be received no later than 5:00 p.m. Eastern Time on September 6, 2023.

Proposals must be emailed in MSWord or pdf format to board.secretary@bpu.nj.gov and broadband@bpu.nj.gov.

Proposal preparation:

This section of the solicitation is designed to guide applicants in organizing their proposals in a consistent fashion so as to facilitate evaluation. Applicants should demonstrate within the relevant sections how their proposed program meets or exceeds the goals and purposes identified above. Each proposal should include, but not be limited to, the following sections:

- a) Description and proposed scope of work;
- b) A description of previous experience developing an equity focused needs assessment.
- c) Explanation of applicant’s ability to work with municipalities, nonprofits, and policymakers;
- d) Process for ensuring eligibility requirements are met, including certification and identification as to the category of eligibility, of those listed above, applicable to the applicant, along with an explanation if necessary;
- e) Explanation of how the proposed work will be managed and evaluated for effectiveness along with appropriate metrics;
- f) A description of financial controls that will be used to protect public funding;
- g) A breakdown of estimated administrative costs and a detailed explanation of how the grant will be used;
- h) Program staff contacts with the title of each person to work on the program and his/her estimated hourly cost;
- i) Other costs (for example, consultant, specific supplies, and travel) must also be included; and
- j) A list of all federal and state funds received in the last 5 years.
- k) During the past ten years, has an internal or external audit, investigation, or review of the applicant found any deficiencies, theft, or wrongdoing by the applicant, a subcontractor to the applicant or a current or former employee with regard to the use of program or grant funding? If so, please explain in detail and provide any relevant documentation.

Proposal timeline:

Applicants shall submit a “timeline” and include projected dates for the proposed assistance with the Plan’s development.

Progress reporting and metrics for evaluation:

Weekly progress reports, accounting for all funds received and spent, will be required.

Evaluation criteria:

Proposals will be reviewed and scored by a Grant Review Committee consisting of Board Staff according to the following criteria:

- General approach and plans to meet the requirements of the Notice of Fund Availability (20 pts)
- Detailed approach and plans to expeditiously perform the services required by the scope of work of this Notice of Fund Availability (20 pts);
- Detailed program budget and cost breakdown (budget narrative) relative to grant award (20 pts);
- Qualifications & experience of key personnel (20 pts); and
- Ability to work with historically marginalized communities (20 pts).

The State of New Jersey and the Board of Public Utilities reserve the right to conduct interviews with applicants or request additional details and clarification, if necessary.

Grant award:

The Grant Review Committee will recommend funding commitment decisions, as described above, to the Board. The Board may reject or accept in part or in whole the recommendations for the funding award made by the evaluation committee. Grant funds will be awarded by the Board to the applicants(s) deemed best able to fulfill the required criteria according to the application materials submitted pursuant to this Notice of Availability of Grant. The Board reserves the right to make no award if in its sole discretion no acceptable proposal is received. Applicants shall receive a Notice of Award or letter declining such award after Board approval of the DEA grant, on or before September 15, 2023.

The Board's decision will be communicated to applicants by the Office of Broadband Connectivity. Applicants shall designate a program manager in the proposal who shall become the point of contact with the Office of Broadband Connectivity.

After Board approval of the award, a grant agreement, or other instrument if appropriate, will be developed between the Board and the Grantee. Applicants will be required to comply with Treasury Circular Letter 07-05-OMB, Grant Agreements-Agency Contracts which provides some but not all of the terms and conditions that will be made part of the grant agreement. To download a copy of Circular Letter 07-05-OMB and the template agreement, please go to <http://www.state.nj.us/infobank/circular/cir0705b.pdf>.

Audit requirement:

This grant is covered by the audit requirements of the Department of the Treasury Circular Letter 15-08-OMB, Single Audit Policy for Recipients of Federal Grants, State Grants and State Aid available at: http://www.state.nj.us/infobank/circular/cir1508_omb.pdf.