

AT A CONTINUATION OF THE JUNE 7, 2021 SPECIAL MEETING OF THE RAPPAHANNOCK COUNTY BROADBAND COMMITTEE HELD ON FRIDAY, JUNE 11, 2021, AT 5:00 P.M. AT THE RAPPAHANNOCK COUNTY COURTHOUSE, 250 GAY STREET, WASHINGTON, VIRGINIA.

CALL TO ORDER

Chair Donehey reconvened the June 7 Special Meeting of the Rappahannock Broadband Authority at 5:00 P.M.

Authority Board Members present: Debbie P. Donehey; Christine Smith; I. Christopher Parrish, Keir A. Whitson and Ronald L. Frazier.

Others present: Garrey W. Curry, Jr., FOIA Officer Margaret Bond, Secretary.

Chair Donehey recapped the consensus of the members reached in the June 7 meeting that the RFP, as discussed and attached to the minutes for that meeting, would be changed to an RFI. She also informed the Board that Messrs. Lonnie Hamilton and Chandler Vaughn from the Virginia Department of Housing and Community Development (DHCD) were in the Zoom audience and were available to answer questions regarding development of the RFI to facilitate the future preparation of a VATI grant application.

Chair Donehey opened the floor for the Board members' discussion of the RFI. She referenced a draft document members had received via email which merged key portions of an RFI from King William County and the draft RFP document previously prepared by Mr. Curry. A copy of this merged document appears as ATTACHMENT ONE at the end of these minutes.

Mr. Frazier – told the Authority Board that, since the last Board meeting on June 7, he had attended the Zoom meeting covering how to apply for a VATI grant. His takeaways were:

1. The Board should not be in a hurry to get everything done for the application right away;
2. There are several pots of money available for the Board to consider for broadband planning;
3. The Board needed to be innovative in its approach.

He cautioned the Board against being in a hurry in its work.

Chair Donehey acknowledged the Board's understanding that it didn't need a partner for the VATI grant application by the July 27 deadline to submit its notice of intent to the DHCD. It only had to identify a partner by September 14, 2021 – the application submission deadline. She said Mr. Hamilton suggested including the VATI timeline deadlines in the RFI, so that ISPs interested in responding would know that an RFP would be soon to follow the RFI. She pointed out that the deadline for responding to the RFI as drafted was about three weeks.

Mr. Frazier said he was concerned about the kinds of towers that Shentel or other ISPs might be using in their plans. He said he had contacted DHCD in Richmond to get a photo of broadband towers but that he was told there are so many different types they could not send him one

representative photo. Mr. Frazier pointed out that the tower in Amissville has a large, prominent microwave dish antenna mounted on it. He expressed concern that the Board didn't know what broadband towers might be offered in ISPs' plans and that putting up a lot of big towers like that wone might be in contravention of the Comprehensive Plan. He reiterated that the Board still didn't know what it didn't know.

Mr. Parrish stated he had also picked up from the Zoom presentation on VATI grant applications that the State might be getting even more money later in the summer, and that the presenters from DHCD had urged applicants to apply for all the funds they needed – even if they exceeded VATI grant capabilities. Chair Donehey explained that the DHCD anticipated there would be more funding for broadband freed up in July which was why applicants were encouraged not to hold back on the amount of money they applied for, because the State may have more funds later.

Board members next discussed the requirement for any broadband plan to offer 100/100 Mbps. Mr. Vaughn explained that the American Rescue Plan Act (ARPA) language called for these speeds for broadband plans to be eligible for funding.¹ However, he explained that the ARPA guidelines also allowed network plans that initially could only offer 100/20 MPPS speeds but were scalable to the higher speeds to still be eligible for funding.

Vice Chair Smith thanked Mr. Vaughn for the VATI grant process video broadcast by Commonwealth Connect was very helpful. She clarified her understanding that there are two sources of funding available for broadband network development this year: one is the VATI and the other is ARPA. She said the Board was trying to “read the tea leaves” as to what the Virginia General Assembly was going to do re: broadband funding this summer.

Mr. Vaugh recommended that RFI or RFP respondents be required to meet the ARPA guidelines in their submissions so that they would be eligible for either VATI or ARPA funds. He indicated DHCD was waiting to see how much of the \$4.3 billion of ARPA funds would go to broadband by plussing up the VATI pot of funds. He clarified that, while VATI guidelines only required 25/3 Mbps, if a county wanted to use ARPA funds in addition to VATI monies, its plan would have to comply with the higher ARPA benchmark speeds.

Vice Chair Smith referenced the difficulties the terrain of Rappahannock County presented for implementing fiber to the home service. She was concerned ISPs might find it unfeasible to achieve the higher speeds with fixed wireless architecture. Mr. Vaughn suggested in these circumstances the Board could always apply strictly for VATI funds that would allow ISPs who could only provide lower speeds could still be considered. Ms. Smith also asked if, in light of the VATI timeline for applications, the Board had sufficient time to issues and RFI and a follow-on RFP? Mr. Vaugh said yes, there was enough time as the Board didn't need to identify a partner until it was ready to start the grant application process. He cautioned that it would require at least 2-3 weeks to complete the VATI application, so the Board needed to plan for this time.

¹ The actual 100/100 Mbps condition for disbursing broadband funds first appeared in draft Treasury Department regulations.

Chair Donehey summarized the discussion to this point as pointing the Board in the direction of issuing an RFI that would give it the necessary information to issue a follow-on RFP with more solid information. Mr. Vaughn suggested keeping the RFI broad so that it keeps options open for the Board to follow up with an RFP.

There followed a discussion of timing for issuing an RFI and then an RFP. Also, the Board members discussed looking to members of the former Broadband Committee to help draft an RFI. Mr. Parrish suggested Mr. Frazier, Chair Donehey, and Ms. Bond could work to pull something together in the next five days, and the Authority Board could meet then and discuss it. Members expressed concerns about network architecture, such as towers, that might conflict with the scenic nature of the County. Mr. Vaughn suggested that the Board use the RFI to collect as much information from ISPs as possible and ask that respondents describe the technology they proposed for their network and what it physically looked like.

The Board members also asked how to handle questions from ISPs about how to respond. Mr. Curry said that, if necessary, he would post an addendum to the RFI with answers. Chair Donehey suggested the County Background section in the RFI include a link to the County's Comprehensive Plan. Members also discussed the desirability of having maps of existing broadband coverage for reference in the RFI. Ms. Bond referred the Board to the maps of broadband coverage by service provider which were included in the Interim Report of the Broadband Committee and the maps previously provided to the Board by Rappahannock County Public Schools.

Mr. Vaughn advised the Board that no one person has all the information about location of cell towers, fixed wireless connections, extent of buried fiber optic cable, etc. It is difficult to generate a "perfect" map, particularly, because some ISPs are secretive about coverage. He suggested a general map of served and unserved areas would be sufficient for a VATI application.

Members also discussed timing for issuing the RFI and the follow-on RFP. Mr. Hamilton assured the Board that a two-week timeframe for responses was standard because many respondents have responded to RFIs and RFPs before and have standard language answers already prepared. The Rappahannock Broadband Authority's RFI would not be their first rodeo, he opined.

Vice Chair Smith referenced the sample RFI on the Commonwealth Connect website as providing a good example of standardized language. Chair Donehey then canvassed members on their availability for another special meeting to work on the RFI. Vice Chair Smith moved to continue the current meeting to 6 pm in the Courthouse. Mr. Parrish seconded the motion which passed unanimously.

Aye: Donehey, Smith, Parrish, Frazier, Whitson.

Nay:

Abstain

Respectfully submitted,
Margaret Bond, Scribe

ATTACHMENT ONE



**RAPPAHANNOCK COUNTY
BROADBAND AUTHORITY**

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Washington, Virginia 22747-0519

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Debbie P. Donehey, Chair

Christine Smith, Vice Chair

Ronald L. Frazier

REQUEST FOR INFORMATION (RFI)

RFIRCBA #2021-01

PARTNERSHIP FOR INTERNET CONNECTIVITY IN RAPPAHANNOCK COUNTY

ISSUED: June XX, 2021

The Rappahannock County Broadband Authority (RCBA) will accept responses **until 4:00PM EST on June 30, 2020**, in the Rappahannock County Administration Office located at 3 Library Road Washington, Virginia 22747.

INQUIRIES: Address questions related to this RFP to County Administrator, Garrey W. Curry, Jr., who will compile questions and coordinate with the RCBA (gwcurry@rappahannockcountyva.gov). Contact initiated by an offeror concerning this RFP with any other County or RCBA representative, not expressly authorized elsewhere in this document, is prohibited. Any such unauthorized contact may result in disqualification of the offeror from this transaction.

PLEASE COMPLETE THE FOLLOWING INFORMATION:

Complete Legal Name of Firm (Offeror): _____

Address: _____

Federal Tax ID Number: _____

Signature of Authorized Representative: _____

Printed Name & Title: _____

Please provide the primary contact person for questions relative to this project:

Contact Name & Title: _____

Phone: _____ **E-mail:** _____

The offeror has the sole responsibility to identify and describe the services it proposes. Offerors should take into account that not only the content but also the form and clarity of their response. If the Authority cannot determine what is being proposed, it is likely to reject the response. All information should be submitted in an organized, easy-to-understand manner. The right is reserved, as the interest of the Authority requires, to revise this document prior to the due date and postpone the due date. Such revisions will be announced by written addenda. The Authority will reject proposals received after the date and time of closing and return them to the offeror unopened. Timely submission of proposals is the sole responsibility of the offeror. The RCBA reserves the right to reject any and all proposals, to waive informalities, and to negotiate with offeror(s). If the County Administration office is closed on the date proposals are due, the deadline will be extended to the same time on the next business day.

RETURN THIS PAGE WITH RESPONSE

DRAFT

I. PURPOSE

The RCBA is seeking one or more Internet Service Providers (ISPs) to partner with to expand the availability of broadband internet connectivity in Rappahannock County. The need for such a partnership overtly recognizes that the density of housing units in Rappahannock County is generally considered too sparse to support broadband deployment using only typically available commercial investments.

It is anticipated that the partnerships resulting from this RFP process will lead to one or more seamless joint efforts to seek all forms of available government and non-government funding to bridge the gap between commercially available investment (from a provider/Offeror) and what is needed to actually deploy broadband service to 95% of households in Rappahannock County.

One such form of government funding is the Virginia Department of Housing and Community Development's (DHCD) Virginia Telecommunication Initiative (VATI) Grant opportunity for FY2022. This funding opportunity practically requires a public-private partnership. VATI Guidelines are available on the DHCD VATI webpage that can be accessed via: <https://www.dhcd.virginia.gov/vati>. Critical VATI deadlines include: Notice of Application due on July 27, 2021; Applications due on September 14, 2021.

II. COUNTY BACKGROUND

Rappahannock County is located in the northern piedmont area of Virginia in the foothills of the Blue Ridge Mountains. The County serves an area of 267 square miles with a population of approximately 7,300. Shenandoah National Park (SNP) occupies nearly 50 square miles of the western most portion of the county within which broadband services are not required, leaving the populated area at 217 square miles with a net density of 33.7 persons per square mile. The U.S. Census Bureau reported that there were approximately 3,131 households in the county in 2017 with an associated density of 14.4 households per square mile. The Town of Washington is the only incorporated town in Rappahannock County and has a population of under 150. There are five other "village areas" of varying household and business density including Amisville, Chester Gap, Flint Hill, Sperryville, and Woodville. The county does not have a publicly facing GIS system from which the public and businesses are able to analyze the population density. Given the rural character of the Rappahannock County landscape, many households are served by very long private driveways.

Rappahannock County is bordered to the northwest by Warren County, the northeast by Fauquier County, the southeast by Culpeper County, the south by Madison County, and the west by Page County. Warren County and Page County lie on the western side (opposite side) of the blue ridge mountains. The topography in Rappahannock County is varied ranging from 360 to 3,720 feet above mean sea level. The lowest point in the county is where the Rappahannock River crosses into Culpeper County. The highest point is along the top of the Blue Ridge Mountains along the border with Page County in the SNP.

Portions of Rappahannock County are currently served by varying degrees of terrestrial based internet connectivity by incumbent broadband providers either with DSL, wireless, coaxial, or fiber; however, large portions of the county are not covered by reliable, affordable broadband. In 2021, the Rappahannock County Board of Supervisors created the Rappahannock County Broadband Authority (RCBA), an independent political subdivision of the Commonwealth of Virginia under the Virginia Wireless Service Authorities Act, in order to address the issue of providing high speed and affordable broadband service to citizens using partnerships not inherently available to the local county government.

III. PARTNERSHIP

As noted, the RCBA intends to partner with one or more private sector broadband service providers to expand the availability of broadband internet connection in Rappahannock County. The desired outcome of the partnership(s) is a joint effort to seek all forms of available government and non-government funding to bridge the gap between commercially available investment and what is needed to actually deploy broadband service to 97% of households (universal broadband service) in Rappahannock County. The RCBA has a preference to enter into a partnership with a single partner for the entire county, but reserves the right to enter into geographically distinct partnerships dividing the County into sub-parts, which would be ultimately served by different partners.

The potential availability of state, federal, and non-governmental funding to supplement the deployment of broadband internet connectivity in the wake of the global pandemic is unprecedented with trillions of dollars in pandemic relief appropriated by the federal government, of which billions are expected to be available for various pandemic related needs in the Commonwealth of Virginia, including the expansion of Broadband. The Governor of Virginia recently issued a release signaling that he intends to invest heavily in the expansion of broadband internet connectivity using these funds and effectively shorten his 10-year goal for statewide universal (defined as 97% coverage) broadband deployment to an 18-month period.

Recognizing the pandemic investment opportunity, the RCBA desires to provide broadband internet connectivity to the citizens and businesses in Rappahannock County that meet the speed requirements stated in the recently released interim final rule for the American Rescue Plan Act (ARPA), **which are 100 mbps download and 20 mbps, scalable to 100 mbps upload** (upload could possibly be reduced if there is an upgrade path). We presume that these speeds practically require the installation of optical fiber at least in the middle mile of installed systems, but other innovative technical solutions to the premises, including high speed wireless solutions, capable of meeting the technical requirements found in the interim final rule will be considered. Meeting this standard will provide future proof service and allow the RCBA to invest ARPA funds received by Rappahannock County and other funds that have the same technical service requirement.

Most of the available government and non-government funding resources provide investment only for “unserved (Internet speed of less than 10/1 mbps)” or “underserved (Internet speed of less than 25/3 Mbps)” areas and it is therefore a core intent for potential partners (offerors) to **identify existing structures already served by an ISP, what type of Internet connection currently exists and who the ISP is, and determine those end users that are unserved or underserved:**

- Research, understand, and explore the technical requirements involved in various available funding support opportunities (available now or in the future) including but not limited to the definition of “unserved” and “underserved” as it applies to households and areas eligible to receive grant funding (from various grant sources).
- Conduct a broadband needs assessment including an “on-the-ground” defensible survey of the County to identify structures (households, businesses, other) and the method through which they can currently access broadband internet connectivity.
- Compare the results of the technical requirements and standards with the on-the-ground survey to identify “unserved” and “underserved” structures definitively as groupings may vary from funding opportunity to funding opportunity that may have different technical standards.

IV. DESIRED OUTCOME

Following the research needed to understand the areas of the County that are eligible to receive outside funding, explore and **fully identify funding needs:**

- Identify existing services and infrastructure that can be leveraged to most efficiently provide universal broadband service.
- Develop a broadband internet connectivity deployment plan that provides universal broadband service at the referenced speeds to the citizens and businesses of Rappahannock County. The deployment plan shall include plan of action and milestones covering all aspects of a project and ending with universal broadband service.
- Determine the capital investment needed to complete the deployment plan; the capital recovery that is expected to be supported by customer revenue; and the supplemental capital that must be provided from federal, state, local, and non-governmental agencies to close the capital funding gap.
- **Lead** the process to assemble broader partnerships (as necessary)
- **Lead** the process to apply for outside funding including VATI funds before their respective application deadlines.
- Following the identification of funding needs and the application and receipt of necessary funds, **own and deploy the broadband system.**

V. GOALS AND OBJECTIVES

By releasing this RFI, RCBA seeks to:

1. Understand the key technical considerations involved in integrating with a fiber middle mile and last mile connection and deploying an optimized solution to residences, businesses and Community Anchor Institutions (CAI, which includes schools, library and fire and rescue stations).
2. Uncover potential issues that need to be addressed prior to construction of the planned network.
3. Develop an appropriate business model for Rappahannock County and any contracted vendor during construction and service phases, keeping in mind the requirements under Virginia general law.
4. Learn of the capabilities and requirements of the respondents with regard to construction, operation, maintenance and sustainment (including technology refreshes) of the network.
5. Identify strategies for structuring and/or implementing the Initiative and to stimulate interest in providing broadband/high speed internet service access to all underserved and unserved areas of the County.
6. Identify potential challenges and/or roadblocks related to the implementation of broadband/highspeed internet service access for underserved and unserved areas of Rappahannock County.
7. Identify ideas and/or recommendations on ways to speed deployment of broadband/high speed internet service infrastructure to meet Rappahannock County broadband/high speed internet service goals and the proposed timeline.7. Identify suggestions on how the County can leverage partnerships, utilize existing assets, coordinate broadband/high speed internet service deployment with other infrastructure improvements and/or take other steps to reduce broadband/high speed internet service deployment costs.

8. Identify regional considerations that might be relevant to the Rappahannock County Broadband Enterprise ability to meet its goals.

9. Identify potential challenges, and/or roadblocks, barrier, etc., that may prevent residents, businesses and/or CAIs from taking advantage of the benefits of broadband/high speed internet service, including approaches to ensure all Citizens and Business Owners have uncapped access to the internet that is affordable, adequate, reliable and low latency.

VI. REQUESTED INFORMATION:

Responses to this RFP must include:

1. Summary of current broadband services provided and locations your organization currently serves including the number of years in the telecom industry.
2. Listing and copies of existing partnership agreements with other local governments in Virginia and evidence showing progress toward meeting the intent of those agreements.
3. Technology proposed to deliver universal broadband as defined herein.
4. Timeline of proposed actions including those expressed as desired herein and expressly including actions necessary to jointly submit the necessary documents for the FY2022 VATI program.
5. Proposed partnership agreement including guarantees that will be offered in exchange for the investment of federal, state, local, and non-governmental funds through the RCBA.
6. A listing of support needed from the RCBA to meet the expressed Desired Outcome. Offeror must be prepared to carry nearly all of the burden to prepare complete and approvable grant documents with limited support from the RCBA.
7. List of company principals who will be assigned to the project and be responsible for overall development and implementation.
8. Evidence of financial capacity to deliver the Desired Outcome with levels of commercial capital necessary for deployment in the form of guaranteed funding put up as “grant match” together with RCBA funds totaling an amount necessary to have a competitive and realistic opportunity to receive federal, state, and non-governmental funds.
9. Please describe potential partnerships you feel will/may be necessary to enable the RCBA to achieve its goals.
 - a. Are there strategic partners whose cooperation would enhance your ability to deliver services under the Initiative and/or reduce your time and cost to deploy? If so, please list the strategic partners you are currently working with and/or plan to partner with in the future.
 - b. Would you be willing to partner with other broadband providers and/or municipalities to provide broadband access to underserved and unserved areas of King William County? If so, please explain under what circumstances you would be willing to enter such partnerships.
 - c. Are you willing to connect to open-access fiber networks? Or to open your fiber networks or lease fiber or communications services to partners?
 - d. Are there types of interconnection arrangements that would foster innovative models to reach underserved and unserved areas?
10. What other steps do you believe the County of Rappahannock can take to encourage or facilitate partnerships?

VII. SUBMISSIONS and TIMELINE

Submit requested information and all other information Offeror deems pertinent (creative ideas, recommended approaches, strategies, advice, etc.). RCBA seeks input in any form deemed appropriate by the offeror, including but not limited to white papers, lessons learned, etc. All submission should be made in printed form with a soft copy in portable document format (PDF).

Submissions are due by the date and time listed on the cover page of this RFP. If not hand delivered to the location listed on the cover page of this RFP, they may be mailed with the following clearly labeled on an outer envelope or box: "RFP RCBA #2021-01" to the attention of:

Rappahannock County Broadband Authority
c/o Garrey W. Curry, Jr., County Administrator
Rappahannock County, Virginia
3 Library Road
PO Box 519
Washington, VA 22747

VI. DISCLAIMER

Be advised. This is not a purchase of goods or services. This is an expression of interest for potential partners who are seeking a partnership with a local broadband authority in such a way as to provide non-commercial investment necessary to implement a privately held broadband internet connectivity system as expressed herein within Rappahannock County that would otherwise not be commercially viable if not for the non-commercial investment. Responding to this RFI does not obligate RCBA or Rappahannock County to select any responder for further work, or to enter into a contract for anything at any time.

Any materials submitted in response to this RFI shall be the sole property of the RCBA.