

State of Georgia Performance Report

Capital Projects Fund



Governor's Office *of*
PLANNING AND BUDGET

THE STATE OF GEORGIA

State of Georgia 2024 Performance Report

Table of Contents

- Executive Summary..... 2
- Uses of Funds..... 2
- Promoting Equitable Outcomes 4
- Labor..... 4
- Community Engagement 4
- Uniform Guidance..... 5

Executive Summary

On January 4, 2023, Governor Brian P. Kemp announced nearly \$235 million in preliminary grant awards for broadband internet expansion through the Capital Projects Fund Grant Program. These awards will improve connectivity for communities, households, businesses, and anchor institutions in 28 Georgia counties. When combined with significant capital matches from the awardees, almost \$455 million will be invested to serve over 75,000 locations in Georgia communities with some the greatest need for high-speed internet access. The press release for this announcement can be found at: <https://gov.georgia.gov/press-releases/2023-01-04/gov-kemp-announces-grant-funds-expand-high-speed-internet-access-28>. Since this announcement, the award in Wilcox County was declined by the selected awardee and the project area in Jefferson County was descoped to avoid overbuilding a newly discovered network that had never participated in the state’s broadband mapping effort.

Because the state did not make an award to each eligible project area for round one of the grant program, Treasury approved for the state to conduct a second grant round. On June 12, 2023, Governor Kemp announced nearly \$15 million in preliminary grant awards for broadband internet expansion through the second round of the Capital Projects Fund Grant Program. These awards will improve connectivity for communities, households, businesses, and anchor institutions in four Georgia counties. The press release for this announcement can be found at: <https://gov.georgia.gov/press-releases/2023-06-12/gov-kemp-announces-grant-funds-expand-high-speed-internet-access-four>.

Over the past year, the state and subgrantees worked to true up CPF location level data to the CostQuest Fabric. As a result of this, the state’s CPF grant is now expanding connectivity to 69,859 locations. The difference in this number and the numbers reported above is primarily the difference in the state’s previous dataset and how CostQuest counts locations vs. units.

Additionally, the state was approved in December 2023 for the CPF Digital Connectivity Program to purchase and deploy eligible devices to facilitate broadband access through the Georgia Public Library Service (GPLS).

Uses of Funds

The state’s objective for our 1A approved program is to fund eligible broadband infrastructure projects, through a competitive sub-grant application process, that will deploy futureproof broadband service to some of the most unserved communities in Georgia. Based on the announcements described above, the state has met this objective. During the previous reporting period, \$246,096,344.83 was obligated to fund eligible projects to serve approximately 69,859 locations. To view the funded project areas, please go to <https://broadband.georgia.gov/2024-georgia-broadband-availability-map> and see the list below. As of June 30, 2024, \$7,266,929.94 has been disbursed for project expenses, and \$985,180.00 has been disbursed for administrative costs.

Award Amounts		
Grant Application ID	Grantee	Awarded Amount
GA-0013651	The Satilla Rural Electric Membership Corporation	5,600,309.37

GA-0013654	Mitchell Electric Membership Corporation	11,942,213.50
GA-0013655	Grady Electric Membership Corporation	9,304,206.30
GA-0013663	Spectrum Southeast LLC	18,409,575.00
GA-0013665	Comcast Cable Communications, LLC	2,952,690.02
GA-0013673	Comcast Cable Communications, LLC	16,650,527.51
GA-0013648	Windstream Georgia Communications, LLC	11,859,914.00
GA-0013650	Mediacom LLC	7,184,385.81
GA-0013670	Comcast Cable Communications, LLC	13,548,056.48
GA-0013671	Comcast Cable Communications, LLC	6,710,886.31
GA-0013676	Glenwood Telephone Company	4,864,941.00
GA-0013649	Cox Communications Georgia, LLC	8,135,793.00
GA-0013652	Windstream Georgia Communications, LLC	6,619,005.00
GA-0013657	Windstream Georgia Communications, LLC	4,507,315.00
GA-0013660	Georgia Windstream, LLC	11,896,605.00
GA-0013661	Spectrum Southeast LLC	5,538,062.00
GA-0013672	Comcast Cable Communications, LLC	9,861,589.46
GA-0013656	Mitchell Electric Membership Corporation	9,044,693.92
GA-0013659	Mediacom LLC	7,805,777.37
GA-0013662	Spectrum Southeast LLC	10,334,969.00
GA-0013664	Spectrum Southeast LLC	7,919,616.00
GA-0013667	Mediacom LLC	13,351,884.50
GA-0013674	Comcast Cable Communications, LLC	7,492,243.56
GA-0013647	Spectrum Southeast LLC	7,449,644.00
GA-0013666	Comcast Cable Communications, LLC	5,331,000.00

GA-0013668	Comcast Cable Communications, LLC	4,400,000.00
GA-0013669	Oconee Electric Membership Corporation (EMC)	2,597,166.00
GA-0013971	Colquitt	6,281,732.72
GA-0013970	Georgia Windstream, LLC	1,195,703.00
GA-0013969	Windstream Georgia Communications, LLC	6,320,693.00
GA-0013972	Windstream Georgia Communications, LLC	985,147.00

The state’s objective for our approved 1B approved program, the CPF Digital Connectivity Program, is to increase access to devices in order to facilitate broadband access where affordability and lack of devices have been identified as a barrier to adoption and use. During this reporting period, \$4,560,694.17 was obligated to fund this program. Expanding device access is also a critical component of the state’s approved [Digital Connectivity Plan](#).

In addition to CPF, the state has obligated over \$414 million in State Fiscal Recovery Funds to expand broadband infrastructure and conducted numerous community and stakeholder listening sessions to inform current and future programs. The state will also be receiving just over \$1.3 billion from the Broadband, Equity, Access, and Deployment Program to fund broadband access to the remaining unserved locations in the state.

Promoting Equitable Outcomes

As part of the application for the CPF Grant Program, applicants were encouraged to consult with the communities within eligible project areas and solicit feedback related to their critical need for access, affordability, reliability, and consistency of service. Applicants were also encouraged to gather input from the relevant communities related to affordability. Since community engagement, support, and input is critically important to the state and this program, these were scored components of the applications, and all funded applications had letters of community support.

Labor

Pursuant to U.S. Treasury’s Final Rule, the State will collect information from subrecipients on their workforce plans and practices related to broadband projects undertaken with Capital Projects Funds. Subrecipient grant agreements detail reporting requirements for infrastructure projects regarding labor agreements, community benefits agreements, prevailing wage requirements, and local hiring as outlined by the Compliance and Reporting Guide. During the subrecipient monitoring process, auditors will perform jobsite visits and conduct interviews with both field laborers and office personnel to validate strong labor standards are being utilized. During this reporting period, three jobsite visits were conducted.

Community Engagement

As part of the application for the CPF Grant Program, applicants were encouraged to consult with the

communities within eligible project areas and solicit feedback related to their critical need for access, affordability, reliability, and consistency of service. Applicants were also encouraged to gather input from the relevant communities related to affordability. Since community engagement, support, and input is critically important to the state and this program, these were scored components of the applications, and all funded applications had letters of community support.

As previously mentioned, the state broadband team has conducted 14 listening sessions this year to get valuable stakeholder and community feedback to inform current and future programs. The state has also actively promoted the Affordable Connectivity Program (ACP) while it was available.

The state expects to have more activities to report on community engagement related to these projects in the next reporting period especially regarding the impact of our 1B program.

Uniform Guidance

To facilitate the distribution of funds as well as to ensure maximum impact of the state's investments, the state made improvements to its grants management system and is continuing these efforts to ensure efficient monitoring and compliance.

Recipients of CPF funds are subject to the following provisions of the Uniform Guidance (2 CFR Part 200) upon the date of award unless otherwise specified in the Final Rule, US Treasury Compliance and Reporting Guidance or other program-specific guidance. CPF funds transferred to subrecipients are also subject to reporting and Uniform Guidance requirements.

On May 17, 2023, the U.S. Department of the Treasury released the final version of important compliance guidance applicable to broadband projects funded through SLFRF and CPF awards. The "SLFRF and CPF Supplemental Broadband Guidance" ("Guidance") addresses several issues relating to the use of SLFRF and CPF funds for broadband projects, including the distinction of ISPs acting as "contractors" vs. "subrecipients," the treatment of "program income," the scope of the Federal interest in grant-funded property, procurement requirements, and other issues.

Of significant impact to the Office of Planning and Budget's Broadband Infrastructure programs is the guidance regarding fixed awards and procurement requirements.

Fixed award means a type of grant or cooperative agreement under which the Federal awarding agency or pass-through entity provides a specific level of support without regard to actual costs incurred under the Federal award. This type of Federal award reduces some of the administrative burden and record-keeping requirements for both the non-Federal entity and Federal awarding agency or pass-through entity. Accountability is based primarily on performance and results.

The Guidance provides that, "ISPs that receive fixed amount subawards and ISPs that are treated as contractors are not required to comply with the cost principles and procurement practices of the Uniform Guidance." Additionally, recipients (the State) may issue fixed amount subawards for broadband infrastructure projects without further Treasury approval regardless of whether the value of the sub-award exceeds \$250,000 (the threshold identified in Uniform Guidance) and that recipients are

not required to apply the cost principles and procurement requirements of the Uniform Guidance to ISPs receiving such fixed amount subawards.

Pursuant to section 200.201(b)(3) of the Uniform Guidance, a subrecipient under a fixed award structure must certify in writing to the recipient at the end of the federal award that the project or activity funded under the fixed amount subaward was completed. Accordingly, an ISP receiving a fixed amount subaward must certify to the recipient that the broadband project reached substantial completion by the end of the period of performance for the state of Georgia's Broadband Infrastructure and Capital Projects Fund.

Monitoring and Compliance

The Office of Planning and Budget has established a robust subrecipient monitoring program to conduct activities to assess the risk of non-compliance, fraud, and/or fiscal negligence of each subrecipient. This process begins with an evaluation of inherent risks to the program, an evaluation of specific risk at the grant application level, and individual evaluations of the internal control and performance environment at each subrecipient. These assessments directly impact the level of detailed test work performed during annual audits, helping to ensure the extent of auditing procedures is commensurate with the level of risk at each subrecipient. Inherent risk is assessed across the following functional areas:

- Reporting
- Procurement
- Disbursements
- Change management
- Claims and disputes
- Document control
- Construction fieldwork (as applicable)
- Others as identified

As a part of its ongoing monitoring efforts, the Office of Planning and Budget will conduct regular audits of financial records, performance data, and other information at each subrecipient. The frequency and extent of these procedures will vary by subrecipient, as determined by the risk assessment or other criteria, and typically include inquiry, observation, and inspection of data and records, within the following functional areas:

- 2 CFR Compliance / Single Audit results
- State Reporting
- Procurement
- Permitting
- Disbursements
- Subcontracting
- Change Orders / Contingency Use
- Inspections
- Construction fieldwork
- Labor
- Environmental
- Safety
- Equity and Inclusion