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Grant & Loan Programs: BRIDGE

Regulations

The BRIDGE Fund is a very specialized community and economic development tool with limited resources meant to assist the mostly rural counties in Georgia that are currently without adequate broadband service. The role of the BRIDGE Fund as a program to provide financial assistance including grants and any other forms of assistance is authorized by (O.C.G.A. § 50-34-1 et seq.). Such assistance will finance activities to assist applicants in promoting the health, welfare, safety and economic security of the citizens of the state through the provision of broadband services on a regional basis to counties currently unserved or underserved in this area.

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413-07-1-.01 Scope of Rule

This regulation governs the operation of the BRIDGE Fund Program as established by the OneGeorgia Authority (O.C.G.A.50-34- 1 et seq.) through a resolution adopted by the OneGeorgia Authority Board on March 10, 2006. In said resolution, the OneGeorgia Authority was authorized as the implementing entity for purposes of the BRIDGE Fund Program’s operation and administration.

Authority O.C.G.A.50-34-1 et seq.

413-07-1-.02 Definitions

The definitions for purposes of this regulation are identical in all respects to the terms defined in O.C.G.A.50-34-2. Broadband Service: A descriptive term for evolving digital technologies that provide consumers a signal-switched facility offering integrated access to voice, high-speed data service, video-

demand services and interactive delivery services at a transmit and receive rate of no less than 200 kilobit per second.

“Rural County”, which is not defined in O.C.G.A.50-34-2, shall be defined using the most recent data and estimates from the U.S. Bureau of the Census to mean a county with a population less than 50,000 where 10% or more of the population lives in poverty.

413-07-1-.03 Purpose

The purpose of the OneGeorgia Authority BRIDGE Fund is to provide a program of financial assistance that includes grants, loans and other forms of assistance authorized by O.C.G.A.50-34-1 et seq. to finance activities that lead to the installation or expansion of facilities and equipment which provide broadband services in counties that are not currently served or underserved by such services.

413-07-1-.04 Eligible Applicants

Eligible applicants under this program shall include, but not be limited to, general-purpose local governments (municipalities and counties), local government authorities, and joint or multi-county development authorities. Eligible sub-recipients include private for-profit companies that provide broadband services over the following types of networks:

- “landline” telephone networks;
- cellular telephone networks;
- cable television networks and/or wireless networks which connect to such networks.

413-07-1-.05 Fund Availability

1. Funding appropriated or otherwise made available to the OneGeorgia Authority will be made available to eligible applicants on an as-needed basis through a selection process that will be announced through the Authority and/or Agent’s publication of notices of fund availability (NOFAs). Such NOFAs will be published on the Authority’s (www.onegeorgia.org) and Agent’s (www.dca.state.ga.us) websites and at the discretion of the Authority and Agent, may also be mailed to eligible applicants, applicant associations and or placed in advertisements in certain local or state publications.
2. The OneGeorgia Authority’s NOFA will establish submission guidelines. Applications will be accepted at any time an eligible applicant has an eligible project and will be reviewed based upon the criteria provided in Section 413-07-1-.08 of these Rules.
3. Eligible applicants must apply for assistance under this program in a format and manner prescribed by Agency. Application documents and guidelines may be obtained from the Authority at:

The OneGeorgia Authority
OneGeorgia BRIDGE Program
1202-B Hillcrest Parkway
Dublin, Georgia 31021

4. The application document provided will include information outlining program requirements, forms, mailing addresses, telephone numbers of contact persons and other necessary and pertinent information.

413-07-1-.06 Eligible Activities

1. Eligible uses of funds provided under the BRIDGE Fund include those activities and the provision of facilities and services as described in O.C.G.A.50-34-1 et seq. Such activities include, but are not limited to, the provision of such public infrastructure, services, facilities and improvements needed to implement new broadband services or enhance existing broadband services. More specifically, such activities may include, but are not limited to, the provision of planning services and technical assistance integral to the development of needed systems, the aggregation of demand, the establishment of databases and other informational and technology systems; the purchase of machinery, equipment and software; technology infrastructure; public utilities; public facilities and services; real property rehabilitation; the acquisition of real property; site preparation and improvements; construction and any other necessary activities allowed under O.C.G.A.50-34-1 et seq. that are integral and necessary for the development and deployment of a broadband system. Ineligible activities include refinancing of existing debt, on-going administrative, operating and maintenance costs, financing of customer terminal equipment (including modems) or inside wiring not owned by the recipient, financing of operating leases and vehicles.
2. In general, the public acquisition and/or improvement of public facilities and infrastructure can be undertaken directly by a general-purpose local government(s) or authority with BRIDGE Fund monies. In some situations, where a private entity may be required to provide facilities and/or equipment to allow a broadband system or facility to become fully operational, BRIDGE Fund monies may be expended for the public acquisition and/or improvement of financed assets and facilities that may be used and operated by private entities. In such cases, such privately used assets and facilities must generally be owned or controlled by a local government and/or authority and leased, subleased or sold to the business or enterprise in accordance with O.C.G.A.36-62-7 and/or O.C.G.A.50-34-6.
3. In general, assistance for “public” facilities owned by local governments and/or authorities that are leased to a private sector broadband provider through the lease provisions described in Section 413-07-1-.06(2) are eligible for grants. Assistance for facilities that are to be owned exclusively by a private entity must generally take the form of low or zero interest loans from the local government or authority. The exact structure and amount will be determined by the activity to be financed, the financial capacity of the private entity and the eligibility of the applicant. Loans will be structured using generally accepted public and private financing instruments and procedures. All recaptured funds must be returned to the OneGeorgia Authority. The OneGeorgia Authority reserves the right to establish criteria regarding the nature, types and forms of financial assistance that the BRIDGE Fund provides.

413-07-1-.07 Application Submission Procedures

1. The application procedure for the BRIDGE Fund includes an optional Preapplication phase and an Application phase. The purpose of the Preapplication is to provide:
 1. a determination of a proposed activity or activities eligibility for BRIDGE Fund financing;
 2. a determination on whether the proposed activity or activities and broader project can meet the basic BRIDGE Fund thresholds and be competitive under the rating and review system as outlined in Section 413-07-1-.08(6) and
 3. an opportunity to obtain Pre-Agreement Cost Approval (PACA) from the Authority so that projects may obtain interim financing and proceed with certain identified project activities prior to receipt of an actual Grant or Loan Agreement.

2. Eligible applicants may submit Preapplications and/or Applications for consideration at any time. The OneGeorgia Authority strongly encourages potential applicants to contact the Authority or DCA to arrange a Preapplication review prior to submitting an Application.
3. Preapplications and/or Applications may be submitted individually by an eligible applicant, or jointly by two (2) or more applicants. Joint submissions must contain a copy of the Cooperating Agreement entered into by the cooperating units of government. The Agreement should designate the applicant that will serve as lead recipient should the project be funded.
4. Preapplications and Applications for the BRIDGE Fund must be submitted in conformance with the format and applicable instructions specified by the OneGeorgia Authority.

413-07-1-.08 Review of Applications

1. Upon receipt of a Preapplication under this program, staff will review the Preapplication for eligibility and conformance with basic threshold criteria. Potential applicants will then be notified regarding general eligibility and perceived competitiveness based on the information they provided. For assessments that indicate potentially eligible and competitive projects, the Authority and/or DCA may provide limited technical assistance to would-be applicants; however, in no event will the Authority or DCA assist in the actual writing of an application.
2. Upon receipt of an application, the application shall be reviewed using the rating and selection factors specified in Section 413-07-1-.08(6) of these regulations, using any additional and/or supplemental information, data, analyses, documentation, commitments, assurances, etc., as may be required or requested by the Authority or DCA for purposes of evaluating, rating and selecting applicants under this program. Applications that contain insufficient information or documentation to be evaluated and rated may be returned to the applicant for further information.
3. Staff may conduct site visits and hold discussions with applicants and proposed sub-recipients for the purposes of confirming and evaluating information contained in the Preapplication or Application. Staff may also consult with other appropriate government and private entities in the course of reviewing and evaluating information contained in Preapplications and/or Applications.
4. All applications received from applicants will be reviewed to determine the merit of the applications and the proposed use of funds. The OneGeorgia Authority and/or DCA will rate and review all applications that meet the Threshold Requirements outlined in Section 413-07-1-.08(5). Applications will be rated according to a point system. The maximum number of points available to an application is set at 540 points. In order to be fundable, an application must receive a minimum score of 325 points. The rating criteria are outlined below.
5. Threshold Requirements (Application must generally meet all requirements in order to be rated.):
 1. The application is from eligible applicant(s).
 2. The project takes place in an eligible county which does not currently have adequate broadband services.
 3. The proposed broadband system a) is owned by a unit of local government; b) is owned by an authority; c) involves an intergovernmental service agreement between multiple jurisdictions that include two or more counties; or (d) is owned by a private entity seeking a low interest loan and will enter into a lease or lease-purchase agreement with the recipient.
 4. If the proposed project involves multiple public ownership jurisdictions, evidence of a revenue- and cost-sharing agreement must be included.
 5. If the proposed project includes the formation of a broadband public/private partnership (PPP), the formal PPP should include an agreement (such as a Memorandum of Understanding) between all parties which outlines the roles and responsibilities of the various partners (both

public and private) throughout the implementation process.

6. The method of identifying the private sector partner may be addressed through a formal RFP (Request for Proposal) process established by the public partner who is an eligible applicant for the proposed use of funds.
 7. The proposed use of funds is for eligible activities and will be carried out in a manner consistent with the state constitution, state law and in accordance with the applicants' (or sub-recipients') enabling legislation and authority; and
 8. (Reserved.)
6. Rating and Selection Criteria: Criteria Points
- o Threshold Requirements 0
 - o Demographics 100
 - o Feasibility 120
 - o Impact 110
 - o Strategy 110
 - o Regional Bonus 100
 - o Total Available Points 540
1. Demographics (100 Points Maximum): On an annual basis, demographic scores will be calculated for each county in the state. For purposes of assigning a demographic score for applications submitted by multiple applicants or an authority made up of multiple entities, the highest score from the group of counties which has endorsed the project or are members of the regional authority will be used. Applications will be rated and scored against each of the following demographic factors as calculated by the Department of Community Affairs using the most recent population, poverty and income estimates:
 1. Demographic Need – total population: Counties will be compared in terms of their total population level. Counties with a population less than 10,000 will receive 45 points. Counties with a population between 10,000 and 19,999 will receive 35 points. Counties with a population between 20,000 and 29,999 will receive 30 points. Counties with a population between 30,000 and 39,999 will receive 25 points and counties over 40,000 in population will receive 20 points.
 2. Demographic Need - percent of people in poverty: Counties will be compared in terms of the percentage of population below the poverty level. Counties with an overall poverty rate of 20% or greater shall receive 40 points. For counties with a poverty rate less than 20%, scores will be obtained by dividing each county's percentage of persons in poverty by the highest percentage of persons in poverty of any applicant in the group and multiplying by 40.
 3. Demographic Need - per capita income: Counties will be compared in terms of their per capita income. Scores will be obtained by dividing each County's per capita income into the lowest per capita income of any county in the group and multiplying by 15.
 2. Project Feasibility (120 Points Possible)

Applications will be awarded “feasibility” points according to the following scale: poor – 0.0 points; below average – 30.0 points; average – 60.0 points; good – 90.0 points; excellent – 120 points. The criteria detailed below: (413-07-1-.08 (6)(B)(i-xi) will determine where on the “Feasibility” Scale an application ranks:

 1. The description of the proposed project and activities are clearly described and documented.
 2. The responsibilities for carrying out each activity are clearly ascribed to a participating entity and each entity has firmly committed in writing to carry out its part; Project

- readiness concerns are addressed (as applicable): i) engineering/architectural/environmental, ii) infrastructure/utility/network access issues, including submission by each applicant of supporting documentation from local phone company(ies) that they are currently or will be capable of providing broadband service within the proposed project timeline; iii) the development of an address and streetname database with geographic locations for each address coordinated with the private carrier; iv) commitments to fund ongoing operations/maintenance, etc.; v) other public and private sector investors are committed and ready to invest, vi) all needed real property is acquired or under option, vii) any needed regulatory approvals obtained (approval of plans, government permits, etc.), viii) administrative capacity is adequate, and ix) (soft projects) professional service providers have adequate credentials and work history, etc.
3. Each participating local political jurisdiction has endorsed the project in writing and has pledged the required revenues to maintain the project.
 4. Public Private Partnerships: Applications demonstrating creation of a broadband public-private partnership, should generally demonstrate that the methodology for selection of the private partner was done through an RFP (request for proposal) or other similar inclusive and open access platform. Proposed contracts that will exist between a private sector broadband service provider and the public entity must be included in the application.
 5. Bidding Process: Applicant should provide details of the competitive and transparent bidding process conducted by the community to solicit bids from the private sector to bring broadband connectivity to the intended unserved area; evidence that identifies the most suitable match between community needs and resources and identifies a service provider capable of delivering those services in a sustainable manner.
 6. Business Plan: Applications should include essential elements of a business plan, including description of the need for broadband, description of community(ies) to be served; any existing levels of connectivity currently available and the current cost of those services; a summary of the extent of community engagement to the proposed broadband deployment, details on potential number of users of broadband access, details on the kind of broadband-dependent services that may be provided as a result of broadband access, overview of proposed project management, the appropriateness and availability of the proposed technological solution, a plan for proposed implementation of the network including a time line with project milestones and a commitment to adhering to a set critical path.
 7. Financial Plan: Applications should include details of market, revenue and cost projections to support the sustainability of the proposed broadband services for a period of at least five years including but not limited to breakdown of the required costs for broadband deployment; assumptions made for expected number of residents and businesses that will have access to the broadband service, revenue estimates based on the number of residents and businesses who have agreed (or projected) to subscribe to the service in the first year; assumptions made for five-year subscriber and population growth rate, average revenue per subscriber; measurability and types of services to be offered. Applications should identify potential risks that might affect implementation of the project and any strategies or solutions that you would use to mitigate or prevent these impacts.
 8. System Design, Technology and Capacity: Provide a detailed description of the goals and objectives of the proposed system design; functional specifications including bandwidth

- and how many sites and/or systems will have to be connected; performance specifications including minimum levels and broadband standards for systems requiring inter-operability with other networks; appropriateness and availability of the proposed technological solution including infrastructure that will be deployed; overview of the technology and facilities that will be used to deliver broadband services in the community(ies) including the potential for future expansion (scalability) of the proposed network. Identify capacity separately for each category of facility if application proposed interconnection between communities and / or private providers.
9. Maintenance and Ongoing Sustainability: Provide details of all maintenance activities and how assistance will be provided. For example: will 24/7 maintenance support be provided; how will the service be monitored for problems; how will service growth be accommodated; what software will be used to generate utilization reports and service availability reports
 10. Project costs are verified through original source documents, architectural and engineering reports, or certified appraisals; and
 11. Applicant certifies that project complies (or will comply) with all applicable federal, state, and local law and regulations.
3. Project Impact (110 Points Possible)
- Applications will be awarded “Impact” points according to the following scale: poor – 0.0 points; below average – 27.5 points; average – 55.0 points; good – 82.5 points; excellent – 110.0 points. In order to determine where on the “impact” scale a project ranks the following criteria will be analyzed:
1. Amount of total state assistance per person served.
 2. Amount of private leverage per person served.
 3. Amount of public leverage per person served.
 4. Evidence that the proposed deployment of broadband is based on a realistic assessment of needs.
 5. Anticipated positive and direct benefits to at least one directly eligible rural county as a result of the proposed deployment.
 6. Map of the community(ies) indicating the areas to be covered by the proposed broadband services
 7. Project supports and relates to the overall planning, vision and future growth of the participating community(ies)
 8. Benefits of collaboration between the public sector and private sector, if applicable, to bring about broadband deployment to unserved or underserved areas.
 9. Existing technology assets have been leveraged to enhance success and sustainability of this project.
 10. If the project represents a multi-county or regional initiative, benefits and cost savings available through regional collaboration.
4. Program Strategy (110 Points Possible)
- Applications will be awarded “Strategy” points according to the following scale: poor – 0.0 points; below average – 27.5 points; average – 55.0 points; good – 82.5 points; excellent – 110.0 points. In order to determine where on the “strategy” scale a project ranks the following criteria will be analyzed:
1. The project represents an innovative approach to providing broadband services in rural Georgia.
 2. The availability of broadband service will increase entrepreneur and small business

- owners reach and ability to compete successfully in a global economy.
3. The proposed project will likely result in the enhancement of the public workforce through the facilitation of online and distance learning resources to support education, job training and skill upgrades in rural Georgia.
 4. The proposed project will likely lead to direct and/or indirect local and regional impact by: i) expanding and encouraging e-business with new broadband applications and services; ii) e-commerce through selling of products and service on the internet and sharing of best practices; iii) attracting new development/investment;
 5. supporting/enhancing local or regional development strategies and priorities; and v) supporting/enhancing local or regional institutions and quality of life.
 6. Financial and programmatic alternatives have been considered for the proposed project and eliminated.
 7. The proposed project supports the overall objectives of the State, GTA and the OneGeorgia Authority and supports the State's development strategy for rural development and regional cooperation.
 8. For non-construction portions of a project, no similar studies, plans, documents or technical assistance have been produced or delivered in the last two years, and if they have, they have been used to the extent possible and/or are in need of updating or expanding.
 9. Evidence demonstrating that the applicant has the experience and capacity to successfully implement the proposal.
5. **Regional Bonus (Maximum of 100 Points):** Applications will be awarded regional bonus points and can receive larger grant amounts as described in section 413-07-1-.09(1) based upon a project's demonstration of significant and quantifiable regional cooperation or impact using the criteria outlined below:
1. "Regional Cooperation"(60 Points): The proposed project is a regional initiative that evidences either: a) significant multi-jurisdictional cooperation through ownership by a development authority comprised of multiple jurisdictions or two or more counties; or b) a revenue and cost sharing agreement or other intergovernmental agreement by two or more counties; or c) a revenue and cost sharing agreement or other intergovernmental agreement by multiple jurisdictions that results in regional impacts, benefits, or service delivery. and/or
 2. "Regional Impact"(40 Points): The proposed project will result in significant and quantifiable public benefit and impact in multiple rural counties. The benefits must meet or exceed one of the following thresholds: a significant increase in the service quality, reliability and/or a reduction in costs for rural broadband customers; b) a substantial net increase in employment or employment opportunities (with BEST qualified jobs); c) a substantial net increase in the tax-base or opportunities for public revenue generation; or d) a substantial increase in educational opportunities, job training programs, workforce development or business incubation and development opportunities. The criteria in this rule (413-07-1-.08) are designed to assist OneGeorgia Authority in making a decision and only constitute minimum standards. Additional factors may be considered depending on the nature of a particular project and its relative merit compared to competing proposals and the availability of funding at the time of application. The decision made by the OneGeorgia Authority shall be final and conclusive.

413-07-1-.09 Awarding of Funds

1. Award limits will be based on the number of counties that receive new or enhanced broadband services through a particular project as follows: a) one county – maximum of \$200,000 per project; b) two counties – maximum of \$400,000 per project; c) three or more counties – there will be no maximum. These limits can be waived upon recommendation of the Director of the OneGeorgia Authority.
2. Once selected for funding, awarded funds will be made available by the OneGeorgia Authority or its Agent through an award contract incorporating by reference the approved final application and adding any special conditions that may be necessary or appropriate. As part of the award conditions, recipients must file a report on the impact and performance of the project, in a format prescribed by the OneGeorgia Authority or its Agent.
3. The OneGeorgia Authority or its Agent may approve an award subject to certain general or special conditions that will be incorporated into the award document. Because of the limited amount of funds available, the OneGeorgia Authority or its Agent may also award an amount less than the amount requested in the application. Applicants will have thirty (30) days from the date of award to accept any special conditions and/or the reduced award amount. If the applicant fails to accept the special conditions or lower award amount within the required period, the OneGeorgia Authority and/or the Agent with OneGeorgia Authority approval may unilaterally withdraw the award.
4. The OneGeorgia Authority or its agent will provide recipients with specific instructions and forms to be used for drawdown of funds awarded under the award contract.

413-07-1-.10 Statement of Conditions

In addition to the certifications made on the face of the award statement, the recipient of funds must further certify that:

1. No applicable state laws, rules, regulations, or applicable local ordinances shall be violated in carrying out this project and expending BRIDGE Fund monies.
2. Recipient will adhere to applicable state and local procurement requirements and it will maintain documentation to confirm such adherence. For activities not applicable to state procurement requirements, recipient agrees to procure such services and activities through a fair and open competitive procurement process that is openly advertised through appropriate media and in compliance with any applicable local procurement laws or regulations.
3. Recipient's accounting records shall be maintained in a manner consistent with generally accepted government accounting standards.
4. If the Recipient is a development authority with powers set forth at Chapter 62 of Title 36 of the Official Code of Georgia Annotated, then the project financed in part by BRIDGE Fund monies shall only be leased or sold as provided by Section 36-62-7 of the Official Code of Georgia Annotated.
5. The recipient (in accordance with state law) shall undergo an annual financial audit conducted in accordance with government auditing standards established by the comptroller general of the United States. The recipient shall submit copies of all audits that cover all or part of the award period to the agency.
6. No real or apparent conflict of interest shall be engaged in by any person or party (or any person or party with whom they have family or business ties) who is involved in any aspect of the BRIDGE Fund project.

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