

Program Questions:

New NY Broadband Program - Phase 2

- Q_6116** Are you applying for funding from the New NY Broadband Program
- Q_6117** Applications to Phase 2 are binding commitments by the applicants to carry out their proposals. If selected, will you enter into a Grant Disbursement Agreement and Security Agreement (sample attached as Appendix D to the New NY Broadband Program Phase 2 RFP Guidelines) reflecting the terms of your proposal?
- Q_6118** Are you prepared to submit documents attesting to your financial stability and management capabilities?
- Q_550** If you are a DBA, what is your DBA name?
- Q_556** Select an applicant ID type from the list below that you normally use to identify your organization on application forms.
- Choice Options: Charity Reg #, Duns Number, Federal Tax ID Number, NYS Unemployment Insurance Tax Number, Social Security Number, NYS Vendor Identification Number (SFS)
- Q_2655** Based on your selection from the previous question, enter your applicant ID number. (Please do not provide your social security number).

- Q_969** If you are a business, have you been certified as a New York State Minority or Women-owned Business Enterprise (MWBE)?
- Choice Options: Yes, No, N/A
- Q_546** Legal Name of Applicant
- Q_551** Applicant Street Address
- Q_552** Applicant City
- Q_553** Applicant State
- Q_554** Applicant ZIP Code. (please use ZIP+4 if known)
- Q_651** Applicant Telephone Number, (please include area code)
- Q_555** Applicant Email Address

Q_547	Contact First Name
Q_1049	Contact Last Name
Q_1050	Contact Title
Q_3688	Contact Street Address
Q_3689	Contact City
Q_3690	Contact State
Q_3691	Contact ZIP Code
Q_562	Primary Contact Phone Number. (please include area code)
Q_3692	Contact Email

Q_1052 Additional Project Contact First Name

Q_970 Additional Project Contact Last Name

Q_1051 Additional Contact Title

Q_3693 Additional Contact Street Address

Q_3694 Additional Contact City

Q_3695 Additional Contact State

Q_3696 Additional Contact ZIP Code

Q_3697 Additional Contact Telephone Number

Q_561 Additional Contact Email Address

Q_580 Provide a list of all federal, state, and local reviews, approvals, or permits needed or completed, including the dates when they are expected to be completed or were completed. If Not Applicable, indicate "NA".

Q_2364 What is the status of State and/or Federal Environmental Review? If review of the project is underway or completed pursuant to the State Environmental Quality Review Act (SEQRA) or National Environmental Policy Act (NEPA), please indicate the lead agency (if applicable).

Q_1054 If National Environmental Policy Act (NEPA) Record of Decision has been issued, please explain (include date of Record of Decision).

Q_6120 Has any environmental review been completed or required pursuant to the State Environmental Quality Review Act (SEQRA), as part of a local and/or other State agency review and approval of the project?

- This is a conditional question.
 1. If **Yes** is selected then **Q_6121** will be displayed

Q_6121 If the SEQRA review has been completed, please provide a copy of the completed Environmental Assessment Form (EAF) Parts 1, 2 and 3. If the SEQRA review has not been completed, please provide an update on the status of the review.

- This is a conditional question based on the answer to **Q_6120**. This question displays when selecting the answer: "**Yes**"

Q_6130 Are you seeking a waiver for one or more of the Requirements listed in the New NY Broadband Program Phase 2 RFP Guidelines?

*Please note that failure to conform to the Requirements set forth in the RFP Guidelines will require the issuance of a waiver. However, waivers are not anticipated to be issued for core Program provisions.

- This is a conditional question.
 1. If **Yes** is selected then **Q_6132** will be displayed

Q_6132 If you are seeking a waiver for one or more of the Phase 2 Requirements listed in the New NY Broadband Program Phase 2 RFP Guidelines, please provide, as your waiver request, a written explanation and any supporting documents demonstrating why you are unable to meet the Requirement(s).

- This is a conditional question based on the answer to **Q_6130**. This question displays when selecting the answer: "**Yes**"

Q_6133 Complete and upload the provided Microsoft Excel spreadsheet entitled "Project Master Financial Spreadsheet". Please follow the instructions outlined in the 'instructions' tab of the workbook.

Please note, for this question and all other attachment questions, applicants may not upload files that exceed 10 MB. If the file size for any response does exceed 10 MB, applicants should covert to zip file format for upload (.zip).

Q_6202 Does your application propose to address Eligible Unserved Census Blocks (as identified on List A of the Phase 2 List of Eligible Census Blocks) or Eligible Underserved Census Blocks (as identified on List B of the Phase 2 List of Eligible

Census Blocks)? Please answer NO if your application proposes an Additional Service Area, as described in Section IX of the New NY Broadband Program Phase 2 RFP Guidelines.

- This is a conditional question.
 1. If **Yes** is selected then **Q_6134** will be displayed

Q_6134

Does your proposed Service Area encompass all Eligible Units within its boundaries?

*Please answer NO if you are an existing cable or telephone service provider proposing to serve fewer than all Eligible Units because a Census Block in your Service Area is divided by your cable franchise or telephone exchange boundary.

- This is a conditional question.
 1. If **No** is selected then **Q_6135** will be displayed
 2. If **Yes** is selected then **Q_6136** will be displayed
- This is a conditional question based on the answer to **Q_6202**. This question displays when selecting the answer: "**Yes**"

Q_6135

Are you an existing cable or telephone service provider with franchise or local exchange boundaries that divide the Census Block, AND are you proposing to serve only those parts of one or more Census Blocks falling within the franchise or exchange boundary?

- This is a conditional question.
 1. If **Yes** is selected then **Q_6137** will be displayed
- This is a conditional question based on the answer to **Q_6134**. This question displays when selecting the answer: "**No**"

Q_6137

If you are an existing cable or telephone service provider proposing to include fewer than all Eligible Units in any Eligible Unserved Census Block or Eligible Underserved Census Block in your application, due to a franchise/exchange boundary restriction, are you proposing to address all Eligible Units within the portion of such Census Block(s) that are within your geographic service boundaries?

- This is a conditional question based on the answer to **Q_6135**. This question displays when selecting the answer: "**Yes**"

Q_6136

Please upload a Shapefile (.shp) (using mapping projection NAD_1983_UTM_Zone_18N) comparing the Units proposed to be addressed in any partial Census Block to the boundary layer of your franchise or local exchange area.

- This is a conditional question based on the answer to **Q_6134**. This question displays when selecting the answer: "**Yes**"

Q_6203

Does your application propose an Additional Service Area? Please note that Additional Service Area applications cannot include Eligible Unserved Census Blocks (as identified on List A of the Phase 2 List of Eligible Census Blocks) or Eligible Underserved Census Blocks (as identified on List B of the Phase 2 List of Eligible Census Blocks).

- This is a conditional question.
 1. If **Yes** is selected then these questions will be displayed:
 - **Q_6138**
 - **Q_6139**
 - **Q_6142**
 - **Q_6143**

Q_6138

Please upload: A Shapefile (.shp) (using mapping projection NAD_1983_UTM_Zone_18N) of all Unserved and/or Underserved Areas that your application proposes to address.

- This is a conditional question based on the answer to **Q_6203**. This question displays when selecting the answer: "**Yes**"

Q_6139

Have you conducted a ride-out of the Census Block(s) to identify end-of-line points of cable and fiber-to-the premise facilities belonging to another service provider?

- This is a conditional question.
 1. If **Yes** is selected then these questions will be displayed:
 - **Q_6140**

- **Q_6141**

- This is a conditional question based on the answer to **Q_6203**. This question displays when selecting the answer: "**Yes**"

Q_6140

If you answered YES to question 6139, has a DSL service provider been identified in the Census Block(s), who is offering download speeds of at least 25 Mbps?

- This is a conditional question based on the answer to **Q_6139**. This question displays when selecting the answer: "**Yes**"

Q_6141

If you answered YES to question 6139 AND your application lists any Unserved Units in those Census Blocks above, please upload:

A. Shapefile (.shp) (using mapping projection NAD_1983_UTM_Zone_18N) showing the observed locations of any central offices or remote terminals for the DSL service provider's network

B. Shapefile showing a 4,000-foot buffer around such points

Please note, applicants should zip together Shapefiles and upload as a single zip file.

- This is a conditional question based on the answer to **Q_6139**. This question displays when selecting the answer: "**Yes**"

Q_6142

Please upload a Shapefile (.shp) (using mapping projection NAD_1983_UTM_Zone_18N) showing the end-of-line points of cable and fiber-to-the premise facilities in the proposed Census Block(s) (OR) the results of a Qualifying Consumer Survey, as defined in Section IX.B.3 of the RFP Guidelines, including:

A description of how the survey was administered and the questions asked;

Address-level information about Unserved and/or Underserved areas from the respondents;

If the survey was commissioned or performed by the applicant, a letter of support from a unit of local government indicating that it has reviewed the addresses and believes them to be Unserved and/or Underserved

- This is a conditional question based on the answer to **Q_6203**. This question displays when selecting the answer: "**Yes**"

Q_6143

Please upload an affidavit that the submitted map is based on:

A ride-out of any Census Blocks within the proposed Service Area performed within the last 12 months by qualified, technical personnel to observe and record areas that are Served and Unserved by providers other than the Applicant, OR the results of qualifying consumer surveys performed within the last 12 months by the Applicant or a unit of local government [This will be required where any provider other than the applicant offers broadband service in the Census Blocks];

The Applicant's records of the extent of its own facilities [Where only the applicant offers broadband service within a Census Block, an applicant need only include this information for that Census Block]

- This is a conditional question based on the answer to **Q_6203**. This question displays when selecting the answer: "**Yes**"

Q_6145

If your Project addresses Libraries and/or New York State Educational Opportunity Centers (EOC's):

Please submit for each library and/or EOC location information (i.e. address, GIS coordinates using mapping projection NAD_1983_UTM_Zone_18N, etc.) and evidence that each Library and/or EOC identified is currently either Unserved or Underserved.

Q_6146 Please submit your Project timeline, detailing Project start/completion dates, major benchmarks, and illustrate how your Project will achieve completion, as defined in Section IV.E of the New NY Broadband Program Phase 2 RFP Guidelines, by end of 2018. Timelines should clearly delineate engineering, permitting, and construction phases of the Project.

Q_6147 If you propose DSL or Fixed Wireless solutions, or a project utilizing DSL or Fixed Wireless technologies in whole or in part, please provide documentation demonstrating the proposed technology solution's ability to achieve the Program's speed goals in the proposed Service Area.

Additionally, if you propose using existing copper lines for your solution, please provide documentation of the availability and condition of those lines.

Q_6148 Please upload a Shapefile (.shp) file (using mapping projection NAD_1983_UTM_Zone_18N) or a PDF that includes roads and a mark-up of where the fiber will be placed and a network diagram of your proposed technology solution (including, as applicable, the routes of aerial, buried and underground Fiber, ducts, and active and passive nodes inside and outside of plant -- e.g., DSLAM, Hub and Splitter locations, switches, routers, speeds and protocols over links, Internet backbone connections). Existing fiber routes that will be used as part of the project should be separately displayed/provided. For applicants proposing Fixed Wireless, please submit a Shapefile and network diagram in the same formats that illustrate all major components of your project (including tower and access point locations and estimated propagation).

If uploading multiple files, please combine and upload as a single zip file.

- Q_6149** Please upload documentation to support claims of the speed capacity of your proposed technology including: the maximum speeds that your technology will deliver, technical specifications, points of aggregation, oversubscription, the scalability of your technology to deliver faster speeds in the future and/or accommodate increased demand, and any limitations on the speed capacity of your technology (e.g., geographical limitations).
- Q_6150** Please provide a signed certification by a licensed Professional Engineer detailing the reliability of the technology and its ability to deliver the indicated speed to the proposed Service Area. The certification must include the license number, issuing state, and license expiration date of the signing engineer. If you cannot provide this certification, please provide other documentation sufficient to support these claims.
- Q_6188** Does the Applicant (or, where Applicant is a group of two or more entities, including municipalities and/or tribal entities, any entity among those filing this application) currently operate a wired or wireless network with at least 500 customers?
- This is a conditional question.
 1. If **Yes** is selected then **Q_6151** will be displayed
- Q_6151** Please provide documentation to support the statement that the Applicant (or, where Applicant is a group of two or more entities, including municipalities and/or tribal entities, any entity among those filing this application) currently operates a wired or wireless network with at least 500 customers.
- This is a conditional question based on the answer to **Q_6188**. This question displays when selecting the answer: "**Yes**"
- Q_6152** Please submit documents that - to the satisfaction of the

Broadband Program Office - describe the Applicant's capital expenditure plans prior to the filing of this Phase 2 application, and demonstrate how the Project would constitute an incremental increase in the Applicant's capital expenditures and would not be undertaken in the absence of Broadband Program Office funds.

Q_6183

Do you have cash-on-hand, defined as the Applicant's total amount of available cash or commitment letter(s) in an amount no less than your financial commitment?

- This is a conditional question.
 1. If **No** is selected then **Q_6155** will be displayed

Q_6155

If you do not have cash-on-hand, defined as the Applicant's total amount of available cash, or commitment letter(s) in an amount no less than your financial commitment, please upload:

(1) Documentation demonstrating that you are in the process of raising this capital (describing the sources and status of such financing), and providing a timeline for obtaining the financing;

(2) A letter attesting to your confidence that you will obtain such financing to allow completion within the timeline provided.

- This is a conditional question based on the answer to **Q_6183**. This question displays when selecting the answer: "**No**"

Q_6200

Please submit all documentation requested in the Summary Tab of the Project Master Financial Template (provided in question 6133 in this application). Applicants should zip together and upload all files in support of rows 10-17 and use the naming convention provided in the spreadsheet.

- Q_6154** If you have commitment letter(s) from investors and/or commercial lenders for a portion of your financial commitment, please upload signed commitment letters from each, and a timeline for completing the financing.
- Q_6156** If Applicant includes a municipal entity that has a municipal Bond rating on any of its debt instruments, please submit documentation demonstrating its current Bond rating.
- Q_6157** Please provide two years of most recent set of signed federal, state, and local tax returns for the past two years (FYs 2015 and 2014). If fiscal 2015 tax returns are not available, submit (1) FY 2014 and FY 2013; and (2) an explanation of why tax returns are not available.
- Q_6158** Please provide three years of most recent set of audited financial statements for Applicant. If Applicant's most recent financials are over 180 days old, add the most recent interim statements.
- a. Should the Applicant not have audited financial statements, Applicant should provide an explanation as to why it does not have such audits and submit three years of most recent set of audited financial statements of its parent company, together with an explanation of corporate organization that clearly demonstrates the relationship between the Applicant and its parent.
 - b. Should neither the Applicant nor its parent have such statements, Applicant should: (1) submit a statement as to why such audited financial statements do not exist; (2) acknowledge that participation in the New NY program will require the submission of audited financial statements; and (3) provide unaudited financial statements of sufficient quality to allow BPO to review applicant's financial condition, including three years' of income statements, balance sheets and cash

flow statements.

- Q_6159** Please provide five years of Projected Pro Forma income statements, balance sheets, and income statements for the Project, clearly notating annual revenue, operating expenses, annual closing balance, and break-even ratio. Please identify all key assumptions underlying such Pro Formas (including average revenue per user (ARPU) and churn rates).
- Q_6160** Please provide any additional documents and/or information that you believe support a determination that you possess sufficient financial and/or management capabilities to participate in Phase 2.
- Q_6161** Identify any partners/consultants/third parties, if any, who will be participating in this Project. Please attach commitment letters **or documentation** from any such entities that describe their roles and relevant past experience to the extent applicable.
- Q_6162** Please provide any other documentation or letters of support in connection with your Project. These may include letters from anchor institutions, REDC representatives, or other public officials.
- Please note that while these documents will not be utilized as part of the Phase 2 Reverse-Auction process, such information may help inform ESD as to the compelling nature of any given broadband project and existing support therefor.

Q_6168 Please provide a complete and detailed description of the network design used to deliver broadband service from the network's primary Internet point(s) of presence to end users. Please highlight all of the network components already in existence, as well as ones to be added by the Project.

Q_6119 Type of Applicant (select all that apply)

- Choice Options: Choice Options: Federal, State, County, City, Town, Village, Tribal, School District, County or Town Improvement District, District Corporation, For-Profit, Not-For-Profit, Individual, S Corporation, C Corporation, IDA, LDC, LLC, LLP, Public Authority, Public Benefit Corp, Sole-Proprietorship. HDFC, BID, LP, Boards Of Cooperative Educational Services (BOCES), Fire District, Regional Planning and Development Board, Public Library, Association Library, College/University/Community College

Q_6122 Does the project involve construction of new poles, towers or other structures?

- This is a conditional question.
 1. If **Yes** is selected then **Q_6123** will be displayed

Q_6123 If so, will these new structures be placed in existing public rights-of-way?

- This is a conditional question based on the answer to **Q_6122**. This question displays when selecting the answer: "**Yes**"

Q_6124 Does the project involve extensive trenching, boring or other ground disturbing activities (i.e., other than minimal trenching for cable installation in existing right-of-ways)?

Q_6125 Does the project require any easements?

Q_6126 Does the project involve ground disturbing activities in an archaeologically sensitive area or the construction or placement of accessory structures on a historic building, structure, district or site listed on or eligible for listing on the State/National Register of Historic Places?

Q_6127 Does the project involve ground disturbing activities in protected State Park lands (Adirondack Park, Catskill Park)?

Q_6128 Do you have agreements in place to attach to all poles included in your network design?

- This is a conditional question.
 1. If **No** is selected then **Q_6204** will be displayed

Q_6204 Per your answer in question 6128, please explain.

- This is a conditional question based on the answer to **Q_6128**. This question displays when selecting the answer: "**No**"

Q_6129 Please describe your proposed Make Ready and Permitting work plan. This should identify all required permits for your project and time frames for obtaining such permits.

Q_6131 Phase 2 of the New NY Broadband Program will award funding to applicants to provide Last-Mile services, including infrastructure required to deliver Last-Mile services, to Unserved or Underserved areas of the State.

Does your proposed project provide Last-Mile broadband service, including Middle-Mile networks, equipment, or other investments required to deliver Last-Mile service?

Q_4979 Please briefly describe your Project

Q_4983 Please identify each of the following units of local government located, in whole or in part, within your proposed Service Area:

- i. Each County
- ii. Each City
- iii. Each Town

Q_4981 If you are an existing Broadband Service Provider, please identify all New York State counties in which you currently provide service

Q_6144 Does your Project propose to provide service to at least 250 Units (as defined in the New NY Broadband Program Phase 2 RFP Guidelines, Section IV.A.2, Minimum Service Area), (OR) address all Eligible Unserved Census Blocks or Underserved Census Blocks within an REDC Region?

Q_6163 Will your completed Project provide Internet download speeds of at least 100 Mbps?

- This is a conditional question.
 - 1. If **No** is selected then **Q_6164** will be displayed

Q_6164 If you are proposing Internet download speeds of less than 100 Mbps, what speed are you proposing and why?

- This is a conditional question based on the answer to **Q_6163**. This question displays when selecting the answer: "**No**"

Q_6165 Does your Project deploy one of the following technologies?

Note: While (1), (2), and (3) are pre-approved for Phase 2, applications offering (4), (5) and (6) will only be considered where no commercially-reasonable bids using Fiber and/or Cable/HFC are submitted to address the same proposed Service Area. Applicants offering such technologies will be asked to submit supporting documentation demonstrating the proposed technology solution's ability to achieve the Program's speed goals, to the satisfaction of the Program, in the proposed Service Area.

- Choice Options: Fiber-to-the-Home (FTTH), Cable/Hybrid Fiber-Coaxial (HFC) deploying DOCSIS 3.0 modems or higher, FTTH in combination with HFC deploying DOCSIS 3.0 modems or higher, Digital Subscriber Line (DSL), Fixed Wireless, Another Hybrid Technology Solution

Q_6166 Please describe the technology you propose to utilize. Also, please describe the specific advantages of using this technology.

Q_6167 Please describe the speed capacity of your proposed technology, including the maximum speeds that your technology will deliver; points of aggregation; oversubscription; the scalability of your technology to deliver faster speeds in the future and/or accommodate increased demand; and any limitations on the speed capacity of your technology (e.g., geographical limitations).

- Q_6169** If you are proposing a FTTH or HFC project, how many miles of fiber do you plan to deploy?
- Q_6170** Please indicate the current status of your Project development (e.g., planning, preliminary engineering, or final design).
- Q_6171** Please describe the Estimated Service Life/Useful Life of your Project.
- Q_6172** Please identify any areas of schedule or cost risk that may affect your Project, the likelihood of the risks, the expected impact of the risks, and your proposed approach to managing the risks.
- Q_6173** In accordance with the goals of the Program, Phase 2 applicants must demonstrate that their projects will be completed by the end of 2018. Will your Project be completed on or before December 31, 2018, as defined in the New NY Broadband Program Phase 2 RFP Guidelines and in accordance with the terms of the Grant Disbursement Agreement (GDA)?
- Q_6174** Will your Project, as part of your range of services and for a period of five (5) years from the date of Project completion, offer a consumer broadband service tier providing broadband service to residential consumers, excluding businesses and

other institutional users, at minimum Internet speeds of at least 25/4 Mbps (download/upload), at a monthly rate not to exceed \$60, upon the terms set forth in the New NY Broadband Program Phase 2 RFP Guidelines (Section IV.F)?

Q_6175 Applicants submitting successful proposals may be required by the BPO, at its sole discretion, to provide the BPO with an unsubordinated security interest in tangible assets funded by the Program. Do you understand and agree that failure to provide such a security interest may result in disqualification of your application?

Q_6176 Are you willing to accept a Modified Award (as described in Section IV.A.5 of the New NY Broadband Program Phase 2 RFP Guidelines) with a reduction of up to 20% of the total number of Units proposed to be addressed by your application?

- This is a conditional question.
 1. If **Yes** is selected then **Q_6177** will be displayed

Q_6177 If you are willing to accept a Modified Award with a reduction of more than 20% of the total number of Units proposed to be addressed by your application, please indicate what percentage reduction of Units you would be willing to accept.

- This is a conditional question based on the answer to **Q_6176**. This question displays when selecting the answer: "**Yes**"

Q_6178 Applicants to Phase 2 shall be required to provide a deposit in an amount of \$100,000.00 by Letter of Credit, which shall be held by the BPO to ensure that the Applicant enters into a Grant Disbursement Agreement (GDA) and Security Agreement in connection with the Project. Do you understand and agree that failure to provide the Deposit may result in the

disqualification of your application?

Q_6179 Does the applicant attest that the proposed Project was not part of their capital expenditure plan last year, or in any year prior to the filing of this Phase 2 application, and would not be undertaken in the absence of Program funds?

Q_6180 Does your proposal include a financial commitment to the Project, meeting the requirements of the New NY Broadband Program Phase 2 RFP Guidelines (see Section IV B- Required Co-Investments)?

Q_6181 Is the Project fully-financed in an amount covering total Eligible Project Costs, through a combination of the total requested State Investment and your commitment of funds?

*If you answer NO, please review Section IV G of the New NY Broadband Program Phase 2 RFP Guidelines for all terms and conditions relevant to applications that are not fully-financed at the time of submission, including requirements for the completion of financing.

Q_6182 Is a portion of your financial commitment, in an amount no less than 10% of total Eligible Project Costs, Equity Capital (as defined in the New NY Broadband Program Phase 2 RFP Guidelines, Section IV.B, Required Co-Investments)?

Q_6184 Have you received previous funding for any aspect of the Project, or to serve any part of the proposed Service Area,

from federal, State, or municipal sources?

- This is a conditional question.
 1. If **Yes** is selected then **Q_6185** will be displayed

Q_6185

If you have received previous funding for any aspect of the Project, or to serve any part of the proposed Service Area, from federal, State, or municipal sources please provide the Project title, funding source, the Project cost total, and the dollar amount received, year of receipt, and current status of this component of the project (e.g., in construction, completed). Please also describe the nature of the funding (e.g., grant funds, loans).

- This is a conditional question based on the answer to **Q_6184**. This question displays when selecting the answer: "**Yes**"

Q_6186

Please describe the extent to which you will rely on contractors and/or vendors to complete the Project.

Q_6187

Do any of your uploaded documents contain confidential and/or proprietary information?

Q_6189

If Applicant is a subsidiary of, division of, or is otherwise related to another entity not named in this application, please identify any such parent and/or related entity and describe the institutional relationship.

Q_6190

Is Applicant in substantial compliance with all federal, State, and local laws?

Q_6191 Does Applicant, or any related entity thereof, have an existing contract with any agency, corporation, or division of the State of New York?

- This is a conditional question.
 1. If **Yes** is selected then **Q_6192** will be displayed

Q_6192 If Applicant, or any related entity thereof, has an existing contract with any agency, corporation, or division of the State of New York, please describe the current status of that contract.

- This is a conditional question based on the answer to **Q_6191**. This question displays when selecting the answer: "**Yes**"

Q_6193 Does Applicant consent to an investigation of their standing under all New York State contracts?

Q_6194 Does Applicant have an outstanding federal, New York State, or municipal tax liability?

- This is a conditional question.
 1. If **Yes** is selected then **Q_6195** will be displayed

Q_6195 If Applicant has an existing federal, New York State, or municipal tax liability, please explain.

- This is a conditional question based on the answer to **Q_6194**. This question displays when selecting the answer: "**Yes**"

Q_6196 Has your application been developed independently, without collusion, consultation, communication, or agreement for the purpose of restricting competition in ESD's selection of Phase

2 grant recipients?

Q_6197 Unless otherwise required by law, do you agree that you will not knowingly disclose the costs presented and grant amounts requested in your Phase 2 application to any other Applicant or to any competitor?

Q_6198 Do you attest that you have not made, **and will not make**, any attempt to submit or withhold a Phase 2 application for the purpose of restricting competition in ESD's selection of Phase 2 grant recipients?

Q_6199 Principals, officers, and directors of applicants, as determined by the BPO, may be required to submit to a background check at the sole discretion of the BPO as a precondition to the award of Program funding.

Do you understand and agree that the failure of any person, determined by the BPO, to be subject to a background check, to submit to a background check, as well as the results of such background check, may result in disqualification of your application?

Q_5043 Please provide a description of your plan to engage New York State-certified Minority and Women-owned Business vendors as subcontractors and suppliers.

Q_5044 Please provide a description of your plan to engage Service Disabled Veteran-Owned Business Enterprises as

subcontractors and suppliers.

Q_1037

By entering your name in the box below, you certify and agree that you are authorized on behalf of the applicant and its governing body to commit the applicant to comply with the requirements of Article 15-A of the New York State Executive Law: Participation By Minority Group Members and Women With Respect To State Contracts by providing opportunities for Minority-owned Business Enterprise (MBE)/Woman-owned Business Enterprise (WBE) participation. You further certify that the applicant will maintain such records and take such actions necessary to demonstrate such compliance throughout the completion of the project.

Q_1038

By entering your name in the box below, you certify that you are authorized on behalf of the applicant and its governing body to submit this application. You further certify that all of the information contained in this Application and in all statements, data and supporting documents which have been made or furnished for the purpose of receiving assistance for the project described in this application, are true, correct and complete to the best of your knowledge and belief. You acknowledge that offering a written instrument knowing that the written instrument contains a false statement or false information, with the intent to defraud the State or any political subdivision, public authority or public benefit corporation of the State, with the knowledge or belief that it will be filed with or recorded by the State or any political subdivision, public authority or public benefit corporation of the State, constitutes a crime under New York State Law.