

**PUBLIC UTILITY DISTRICT NO.1  
OF  
JEFFERSON COUNTY**

**RESOLUTION NO. 2025-004**

A Resolution of the Board of Commissioners of Public Utility District (PUD) No. 1 of Jefferson County, Washington, approving submission of application for WSBO-Broadband project and attesting to the certifications required under the application.

**WHEREAS** the PUD (or “applicant”) is applying to the Washington State Broadband Office (WSBO) for a recoverable grant under the NTIA Broadband Equity Access and Deployment (BEAD) Notice of Funding Opportunity (NOFO). Completion of a competitive application often requires significant time and expense. The WSBO recognizes that applicants will incur costs preparing for and submitting their applications. The WSBO will not be held responsible for pre-development or application preparation costs, regardless of whether funding is awarded; and

**WHEREAS** this Resolution authorizes the applicant’s submission of its application for a WSBO-Broadband project and also authorizes the PUD’s approved signatory below to attest to the certifications required under the application; and

**WHEREAS** the applicant recognizes and acknowledges that the information provided by the completed application is the only information that will be considered in the evaluation and/or rating process. Incomplete responses will result in a reduced chance of funding. In order to ensure fairness to all, the WSBO does not allow unsolicited additional written materials or presentations; and

**WHEREAS** it is necessary that certain conditions be met as part of the application process; and

**WHEREAS** it is necessary that the project when awarded will be required to pursue a competitive procurement process and will be administered according to federal, state, and local procedure; and

**WHEREAS** the applicant is certifying all of the requirements stated in the NOFO, as stated below:

- Will comply with all applicable Build America, Buy America Act (BABA) regulations
- Has the financial capability to successfully deploy network facilities as outlined in the BEAD NOFO
- Has included all of the information related to financial capability requirements which are outlined by the BEAD NOFO and/or have been adopted by WSBO.

- Has the managerial capability to successfully deploy network facilities as outlined in the BEAD NOFO.
- Has included all of the information related to managerial capability requirements which are outlined by the BEAD NOFO.
- Has the technical capability to complete and operate the Project and that the applicant is capable of carrying out the funded activities in a competent manner, including that it will use an appropriately skilled and credentialed workforce.
- Has included all of the information related to technical capability requirements which are outlined by the BEAD NOFO.
- Will comply with all occupational safety and health requirements.
- Will permit workers to create worker-led health and safety committees that management will meet upon reasonable request.
- Has the operational capability to successfully deploy network facilities as outlined in the BEAD NOFO.
- Has included all of the information related to operational capability requirements which are outlined by the BEAD NOFO
- If applicable, that the applicant has provided a voice, broadband, and/or electric transmission or distribution service for at least the two (2) consecutive years prior to the date of its application submission and has specified the number of years in operation in the application's narrative component.
- If applicable, has timely filed Commission Form 477s and the Broadband DATA Act submission as required during this time period, and otherwise has complied with the Commission's rules and regulations.
- Has provided all ownership information consistent with the requirements set forth in the BEAD NOFO and pursuant to 47 C.F.R. § 1.2112(a)(1)-(7).
- Has disclosed all necessary public funding sources and is compliant with the disclosure requirements which are outlined by the BEAD NOFO.
- Has complied with all applicable Federal Labor and Employment Laws in the past and is committed to future compliance.
- Has included all of the information related to compliance with Federal Labor and Employment Laws which is mandated by the BEAD NOFO.
- Is committed to utilizing a skilled, diverse workforce for this project.
- Has included all of the information related to advancing workforce development which is mandated by the BEAD NOFO.
- Is committed to utilizing a skilled, credentialed workforce for this project.
- Has included all of the information related to utilizing a skilled, credentialed workforce which is mandated by the BEAD NOFO.
- Will take the affirmative steps to include Women's Business Enterprises, Minority Business Enterprises, and Labor Surplus Area Firms, as laid out in 2 CFR 200.321, if utilizing a subcontractor.
- Has read and understands the guidance and requirements for each application section and will comply with the requirements in their application.
- Will comply with future guidance and requirements from NTIA that WSBO is required to administer.
- Will build out a broadband network to eligible locations that are awarded within the application area if the application is awarded.
- Has included a cybersecurity risk management plan which reflects the latest version of the National Institute of Standards and Technology (NIST) Framework for Improving Critical Infrastructure Cybersecurity (currently Version 1.1) and the

- standards and controls set forth in Executive Order 14028 and specifies the security and privacy controls being implemented;
- Is committed to reevaluating and updating the cybersecurity risk management plan on a periodic basis and as events warrant; and
  - Is committed to submitting a new version of the cybersecurity risk management plan if they make any substantive changes to the plan within 30 days. The WSBO must provide a subgrantee's plan to NTIA upon NTIA's request.
  - Has included a supply chain risk management (SCRM) plan that is either:
    - operational, if the prospective subgrantee is already providing service at the time of the grant; or
    - ready to be operationalized, if the prospective subgrantee is not yet providing service at the time of grant award;
  - Has included a SCRM plan that is based upon the key practices discussed in the NIST publication NISTIR 8276, Key Practices in Cyber Supply Chain Risk Management: Observations from Industry and related SCRM guidance from NIST, including NIST 800-161 Rev. 1, Cybersecurity Supply Chain Risk Management Practices for Systems and Organizations and specifies the supply chain risk management controls being implemented;
  - Is committed to reevaluating and updating the SCRM plan on a periodic basis and as events warrant.
  - Is committed to submitting a new version of the SCRM plan if they make any substantive changes to the plan to the WSBO within 30 days. The WSBO must provide a subgrantee's SCRM plan to NTIA upon NTIA's request
  - Will comply with 2 CFR 200.318 General procurement standards.
  - Will provide a low-cost service option consistent with the Washington State BEAD NOFO.
  - Will allow subscribers to apply broadband subsidy programs consistent with the Washington State BEAD NOFO.

**WHEREAS** the information provided in this application is true and correct to the best of the applicant's belief and knowledge and it is understood that the state may verify information, and that untruthful or misleading information may be cause for rejection of this application or termination of any subsequent grant agreement(s); and

**NOW THEREFORE**, the Board of Commissioners of the PUD resolves that the foregoing recitals are incorporated herein as if fully set forth, and the PUD certifies that it meets the requirements set forth in this resolution, and further that it intends to enter into a grant contract with the WSBO, provided that the terms and conditions are satisfactory to both parties. Requirements include, but are not limited to:

The applicant must certify that the project will be designed to provide broadband service that meets or exceeds the service speeds set forth in this Notice of Funding Opportunity and that these speeds will be included in the contractual scope of work should the project be selected for funding.

The applicant agrees to collect and report all information required to maintain conformance with state and federal guidelines.

**ADOPTED** at a Regular Meeting of the Board of Commissioners of Public Utility District No. 1 of Jefferson County, this 30<sup>th</sup> day of January, 2025.

DocuSigned by:

*Jeff Randall*

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Jeff Randall, President

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*Daniel S. Toepper*

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Dan Toepper, Vice President

ATTEST:

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*Ken Collins*

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Ken Collins, Secretary