



Martin O'Malley Governor
Anthony G. Brown Lt. Governor
Christian S. Johansson Secretary
Dominick E. Murray Deputy Secretary

March 23, 2010

The Honorable Gary Locke
Secretary
U.S. Department of Commerce
1401 Constitution Avenue, N.W.
Washington, D.C. 20230-002

Dear Secretary Locke:

I am writing to my express our support for the OneMaryland Broadband Network plan. Submitted by the State of Maryland and key local government and private-sector partners, the application seeks middle mile infrastructure funding from Round 2 of the Broadband Technology Opportunity Program (BTOP). From a business development perspective, I strongly believe that the Maryland proposal will provide critical state-wide infrastructure that will lead Maryland into the technology-based economy of the 21st Century.

This application fits very tightly into the Comprehensive Community Infrastructure (CCI) category of funding. The OneMaryland proposal aims to connect a multitude of community anchor institutions throughout the entire State of Maryland, uniting rural, urban, and suburban communities in one contiguous network across the State. To be precise, if funded, Maryland would be able to provide or enhance broadband service to 1,144 community anchor institutions, including 469 K-12 schools, 68 public libraries, 311 public safety and 911 centers, and 24 community colleges. This funding will provide needed broadband service in certain areas, as well as leverage the demonstrated success of existing operational and institutional networks located throughout the State.

In building this network, the OneMaryland plan will spur economic development and job creation. It is currently estimated that this project would help the State of Maryland create and save over 2,000 jobs. In addition to directly supporting jobs, this project will have indirect economic impacts as well. Small businesses, especially those in Maryland's rural areas, will be able to connect to the network, thus affording them new business development opportunities. As I am sure you know, small businesses are often the fastest way to add jobs and will truly be the key to economic recovery. Enhanced broadband connections will be tremendously helpful in this process.

The Maryland Department of Business and Economic Development is extremely supportive of this proposal and looks forward to the great benefits it will bring to Maryland. This is especially true in light of the fact that Maryland did not receive any infrastructure grants in the first round of BTOP funding. Thank you for your work on this matter.

Sincerely,

Christian S. Johansson
Secretary



MARTIN O'MALLEY
GOVERNOR
ANTHONY G. BROWN
LT. GOVERNOR

STATE OF MARYLAND
MARYLAND STATE POLICE
1201 REISTERSTOWN ROAD
PIKESVILLE, MARYLAND 21208-3899
410-466-3101
TOLL FREE: 1-800-525-5555
TDD: 410-466-0677



COLONEL
TERRENCE B. SHERIDAN
SUPERINTENDENT

To: Broadband Technology Opportunities Program
National Telecommunications and Information Administration

From: Maryland State Police
1201 Reisterstown Road
Pikesville, MD 21208

Re: Maryland One Fiber Optic Infrastructure Grant Requests

Date: August 12, 2009

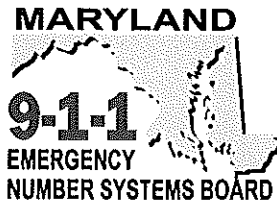
The Maryland State Police have worked closely with the One Maryland Broadband Plan and fully support the grant initiative offered through the 2009 Federal Stimulus Broadband grant opportunities. This project will provide critical information technology infrastructure to State and Local law enforcement agencies. The proposed project encompassed by this request will expand broadband coverage in areas of the State that require critical enhancements to enable service to citizens either directly or through enhanced interoperability between law enforcement agencies.

The enhancements to bandwidth and reliability allow for interoperability, critical application deployments, and secondary communications methods between law enforcement and public safety partners. Such upgrades will allow for equality among agencies in access to modern applications that require greater levels of bandwidth. This is particularly important considering the enhanced security required for law enforcement applications and communications which take more overhead and impacts performance on low speed networks.

Your consideration of our grant application is appreciated and I hope you will help us make our BTOP project possible.

Sincerely,

Michael B. Roosa
Chief Information Officer
Officer of Technology Management



Department of Public Safety and Correctional Services

Emergency Number Systems Board

115 Sudbrook Lane -- Suite 201, Pikesville, Maryland 21208-4199
(410) 585-3015 • FAX (410) 764-4136 • www.dpscs.state.md.us/ensb/

STATE OF MARYLAND

MARTIN O'MALLEY
GOVERNOR

ANTHONY G. BROWN
LT. GOVERNOR

GARY D. MAYNARD
SECRETARY

G. LAWRENCE FRANKLIN
DEPUTY SECRETARY

ANTHONY MYERS
CHAIR

GORDON DEANS
EXECUTIVE DIRECTOR

JUMARY WEST
FISCAL COORDINATOR

HOWARD REDMAN
TRAINING COORDINATOR

March 17, 2010

Gregory Urban
Deputy State CIO - Operations
Maryland Department of Information Technology
45 Calvert Street
Annapolis, MD 21409

Re: One Maryland Broadband Network

Dear Mr. Urban:

The Emergency Number Systems Board (Board), in response to changing communications technologies, is anticipating the implementation of a Next Generation 9-1-1 (NG 9-1-1) network to accommodate the delivery of new data rich emergency response information. This NG 9-1-1 network will rely on bringing high-speed fiber optic communication facilities to all 9-1-1 Public Safety Answering Point (PSAP) locations in Maryland. Any network solution of this type must provide redundancy of service, meet established emergency services reliability standards, and provide an affordable and responsive maintenance program.

To this end, the Board supports fiber connectivity, which we understand is the goal of the One Maryland Broadband Network proposal, that will support the enhancement of the 9-1-1 system in Maryland by connecting all PSAPs (primary, secondary and MSP Barracks) to the State's fiber backbone. Expenditures related to the enhancement of Maryland's 9-1-1 System through establishing network connectivity among all of the PSAPs (including the MSP barracks) are consistent with legislative guidelines for appropriate use of available 9-1-1 Trust Fund monies.

Sincerely,

A handwritten signature in black ink, appearing to read "Gordon Deans".

Gordon Deans, Executive Director
Emergency Number Systems Board

MARYLAND PUBLIC TELEVISION

11767 OWINGS MILLS BLVD
OWINGS MILLS MD 21117-1499

T 410.581.4141 F 410.581.6579

ROBERT J. SHUMAN
PRESIDENT AND CEO



August 12, 2009

Mr. Ira Levy, CIO
Howard County
3450 Courthouse Drive.
Ellicott City, MD 21043

Re: One Maryland Broadband Consortium

Dear Mr. Levy:

Maryland Public Television (MPT) enthusiastically supports the One Maryland Broadband Consortium's proposal, "Serving Maryland One Fiber at a Time," which promises to bring much needed bandwidth to nearly 500 schools throughout the state. Looking forward, this plan will help our students meet the challenges of today and the future by giving them ready access to existing as well as yet-to-be developed resources that lie just over the horizon. It is critical—if our state and our nation are to be competitive in this digital world—for our educational institutions stay ahead of the curve.

Education is a keystone of our mission, which states, "Learning advances our society: children succeed, adults are renewed, communities benefit." MPT stands ready to meet the needs of our students and educators in partnership with the consortium by making our unique content available—whether it is our award winning educational portal *Thinkport.org* or PBS and MPT productions that will soon be available through our new media player on our website, www.mpt.org.

Just as a rising tide lifts all boats, this proposal will help provide equal access to affordable broadband services to the unserved and underserved of Maryland. It is a shared goal: providing equal access and equal opportunity for the betterment of all.

Sincerely,

A handwritten signature in cursive script that reads "Robert J. Shuman". The signature is written in dark ink and is positioned below the word "Sincerely,".

Robert J. Shuman
President & CEO

Martin O'Malley, *Governor*
Anthony G. Brown, *Lt. Governor*



Beverley K. Swaim-Staley, *Acting Secretary*
Neil J. Pedersen, *Administrator*

August 14, 2009

Mr. Ira Levy, Chief Information Officer
Howard County Maryland
8930 Stanford Blvd.
Columbia MD 21045

Dear Mr. Levy:

Thank you for your request for support of the One Maryland Broadband Consortium. The Maryland State Highway Administration (SHA) values this opportunity to partner with Howard County to provide broadband technology to underserved and unserved areas within the State.

In support of this project, SHA will provide the necessary intergovernmental agreements and utility permits for access to SHA rights-of-way. SHA will coordinate with One Maryland to ensure the engineering plans for placement of fiber optic cable along SHA rights-of-way receive appropriate review and permits are issued accordingly.

Thank you again for your request for support. If we may be of further assistance, please do not hesitate to contact Mr. Craig A. Fetzer, Division Chief, Office of Maintenance Communications Division at 410-747-8590, toll-free 877-624-6863, or via email at cfetzer@sha.state.md.us.

Sincerely,

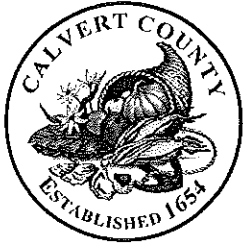
A handwritten signature in black ink that reads 'Neil J. Pedersen'.

Neil J. Pedersen
Administrator

cc: Mr. Craig A. Fetzer, Communications Division Chief, SHA

My telephone number/toll-free number is 410-545-0400 or 1-800-206-0770
Maryland Relay Service for Impaired Hearing or Speech 1.800.735.2258 Statewide Toll Free

Street Address: 707 North Calvert Street • Baltimore, Maryland 21202 • Phone 410.545.0300 • www.marylandroads.com



**CALVERT COUNTY
BOARD OF COUNTY COMMISSIONERS**

Courthouse, 175 Main Street
Prince Frederick, Maryland 20678
Phone: (410) 535-1600 • (301) 855-1243

March 16, 2010

Board of Commissioners
Gerald W. Clark
Linda L. Kelley
Wilson H. Parran
Susan Shaw
Barbara A. Stinnett

Mr. Gregory Urban
Deputy Chief Information Officer
State of Maryland
45 Calvert Street
Annapolis, MD 21401

Dear Mr. Urban:

The Calvert County Board of Commissioners endorses the round two application of the One Maryland Broadband Network, which requests American Reinvestment and Recovery Act (ARRA) funding through the Broadband Technology Opportunities Program (BTOP) from the U.S. Department of Commerce. The BTOP funding will focus on projects that include a Middle Mile component and provide new or substantially upgraded services to community anchor institutions.

The One Maryland Broadband Network objectives in the round two application for ARRA funding complement and enhance the high-speed connectivity goals for Calvert County Government, as well as Calvert County Public Schools and Calvert County Public Libraries. This effort lays the groundwork for County government to expand eGovernment capabilities and make citizen participation more accessible through virtual public meetings. Distance learning and public programming at our libraries, community centers, senior centers, and Calvert Marine Museum will be feasible utilizing the greater speed provided by fiber broadband. This Middle Mile initiative truly provides the foundation to connect our citizens to the online services, information, and educational opportunities available both locally and statewide. In addition, we expect this effort to enhance our Police, Fire, and EMS emergency communications. Over the course of the three-year grant, Calvert County Government will purchase the necessary hardware to connect its facilities to the fiber network. The County government will also work with the Maryland Broadband Cooperative (MDBC) to maximize access to the County's existing fiber and wireless network.

Bringing broadband access to our underserved rural region continues to be a high priority. With the ARRA funding award, expansion of the fiber optic backbone will continue to Southern Maryland linking our community to the Eastern Shore and all of Maryland within the next two years. We support the completion of the statewide network, as it will leverage the capability of high-speed internet connectivity to extend economic opportunities and social benefits into rural communities throughout the state of Maryland.

March 16, 2010
Mr. Gregory Urban
Page Two

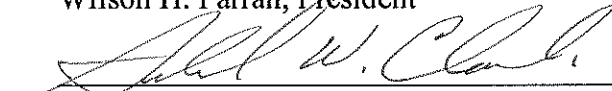
We respectfully request your favorable consideration of the Round Two grant proposal to complete the statewide rural network, which is our region's top ARRA infrastructure funding priority. Calvert County will benefit significantly from becoming fully integrated into a world-class broadband network, such as the one proposed by the One Maryland Broadband Network application.

Sincerely,

BOARD OF COUNTY COMMISSIONERS
CALVERT COUNTY, MARYLAND



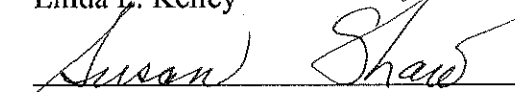
Wilson H. Parran, President



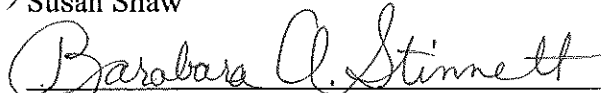
Gerald W. Clark, Vice President



Linda L. Kelley



Susan Shaw



Barbara A. Stinnett

cc: Wayne E. Clark, Board of Directors, Maryland Broadband Cooperative
cc: Patrick Mitchell, Executive Director, Maryland Broadband Cooperative

Board of Commissioners
Julia W. Gouge, President
Dean L. Minnich, Vice President
Michael D. Zimmer, Secretary

Carroll County

ECONOMIC DEVELOPMENT
making business feel right at home®

Lawrence F. Twele
Director

March 16, 2010

Mr. Gregory Urban
Deputy CIO
State of Maryland
35 Calvert Street
Annapolis, MD 21041

Re: One Maryland Broadband Network

Dear Mr. Urban,

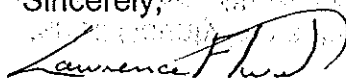
We are writing to express our support for One Maryland Broadband Network, of which Carroll County is a member. High-speed internet is a critical economic development asset and we would like to see the successful implementation of a coordinated One Maryland broadband infrastructure project. This initiative will have tremendous economic benefits for Carroll County and Maryland.

Carroll County is a suburban/rural area, yet many of our communities are still underserved with regard to high-speed internet access. A limited number of service providers offer expensive services and some areas still only have limited dial-up service or satellite service which is costly and unreliable. One Maryland funding will help Carroll County continue to build an open fiber optic network which will bring new service providers into the market and drive competition, making high speed broadband more accessible and affordable.

Implementing the One Maryland Broadband Network is especially important for Carroll County to help attract new businesses like GSE Systems, Inc., a corporate headquarters relocation project that we were successful in attracting recently. Companies like GSE do business worldwide and need fast, reliable internet access. Also, most of our businesses are small. Many begin as home-based businesses or choose to operate out of their home making broadband infrastructure access important for residential areas as well as commercial/industrial properties.

We fully support the One Maryland Broadband Network and look forward to additional state-wide investment in this essential utility.

Sincerely,



Lawrence F. Twele, CECD
Director



Denise Beaver, CECD
Deputy Director

March 15, 2010

To Whom It May Concern:

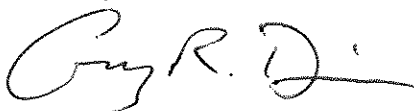
This letter is in reference to the broadband stimulus funding proposal being submitted by Carroll County Government for the Carroll County Public Network (CCPN) in conjunction with the One Maryland Broadband Network.

Carroll County faces real challenges due to the lack of Internet Service and Telecommunications providers. Carroll County's geography is 452 square miles of rural and suburban areas. In many areas of the county, the only ISP service available is dial-up. For business class circuits, the only feasible options are Comcast (limited availability) or Verizon using Business Service or Frame Relay. The current wide-area-network for the proposed 125 CCPN sites is comprised mainly of leased T1 circuits. A T1 circuit is a 1.544 megabit per second digital circuit provided by telecommunications companies and the monthly cost is typically based on distance but averages around \$400 per month per circuit.

Carroll County Public Schools (CCPS) requires a wide-area-network that creates private point-to-point circuits back to a Central Office for filtering and CIPA (Children's Internet Protection Act) compliance. Comcast's offerings do not provide this capability and Verizon's leased circuits are far too limited in bandwidth and/or cost-prohibitive to utilize. For example, to increase bandwidth from T-1 to DS-3 speeds would result in a 10-fold increase in leased costs. As an alternative, Verizon provided a proposal for its MPLS service for Gigabit access that was more than a 10-fold increase in cost and extended commitment, well beyond our ability to adequately fund. Verizon currently does not have the MPLS infrastructure in Carroll County. Verizon required the long-term commitment from CCPS as we would be the only potential customer for this service.

Due to these challenges and the lack of a commercial alternative, the only long-term and cost-effective solution to meet today's and tomorrow's bandwidth requirements was to build the Carroll County Public Network to serve the citizens of Carroll County. The project includes the fiber optic cable and equipment to build approximately 110 miles of county-owned fiber and associated emerging technology that will connect 125 government, school, library, municipality, first responder, and community college sites. The network will provide high-speed circuits to expand services and meet the future needs of Carroll County citizens. The project will result in hundreds of thousands of dollars in telecommunications savings. In addition, there will be significant cost-avoidance related to emerging needs over the coming years by building a robust and dynamic 21st century infrastructure.

Sincerely,



Gary R. Davis
Chief Information Officer, Carroll County Public Schools
Chairman, Carroll County Public Network





Economic Development Authority

The Center for Business and Technology Development
9250 Bendix Road, North Columbia, Maryland 21045 410-313-6550 Fax: 410-313-7515

March 24, 2010

Ira Levy
Chief Information Officer and Chief Performance Officer
Howard County Government
8930 Stanford Boulevard
Columbia, Maryland 21045

Ira:

Please consider this a letter of support from my organization for Howard County's Maryland Broadband Initiative proposal. The Center for Business and Technology Development, part of the Howard County Economic Development Authority, provides small business support services to county businesses. Two of our three Center components specifically focus on technology based businesses and their growth.

At the Center and the Authority, we recognize the significant long-term value of technology based economic development programs such as this Maryland Broadband Initiative. Howard County's economy, and that of the surrounding region, is fueled by diverse, technologically savvy businesses and their accompanying highly educated workforce. Innovation is the norm in the Baltimore-Washington corridor, originating at federal government and university based research facilities, as well as in private sector firms.

There are three key areas in which ubiquitous broadband access, which this Initiative facilitates, will positively impact economic environment; distance learning, telemedicine and e-commerce. Distance learning is rapidly becoming an essential educational tool, from brief informational webinars to extended college coursework. Telemedicine applications enable shorter hospital stays and longer independent living for senior citizens through diagnostics, monitoring, and online counseling services. E-commerce allows home based businesses to have a global reach, and provides consumers with virtually unlimited buying options in their homes. Broadband Internet access is the critical, underlying infrastructure that enables all this activity.

These capabilities are available today to those with broadband access; those without it are on the losing side of the digital divide. The Maryland Broadband Initiative will widen the breadth of coverage within the state, to better serve governments, businesses, and citizens. A multitude of positive benefits will accrue to the region as a result of this forward thinking investment in the region's future.

Sincerely,

Linda L. Burger
Senior Vice President, Small Business Development
The Center for Business and Technology Development
Howard County Economic Development Authority



Office of the Health Officer
7178 Gateway Drive
Columbia, MD 21046-2147
(410) 313-6300 Fax (410) 313-6303
TDD (410) 313-2323 Toll Free 1-866-313-6300
website: www.hchealth.org

March 25, 2010

Mr. Gregory Urban
Deputy CIO
State of Maryland
35 Calvert Street
Annapolis, MD 21041

Dear Mr. Urban:

I am writing to convey my strong support for the One Maryland Broadband Network Broadband Technologies Opportunity Program (BTOP) grant application that the State of Maryland is submitting in conjunction with key local government and private sector partners.

This innovative and coordinated approach to increase broadband access across the State of Maryland would provide hospitals and other health care providers enhanced high speed internet access, reduced costs, and access to a shared network – a feat never before accomplished in Maryland. This represents a profound benefit to health care institutions throughout Maryland, especially at a time when budgets are severely stressed and access to electronic health information is becoming increasingly necessary.

The middle-mile infrastructure you propose will meet our critical need for improved access to broadband service—and will help us achieve our core mission of providing healthcare services to our community.

Further, the One Maryland Broadband Network plays an essential role in ensuring that Maryland is a leader with HiTech Health. This network would represent a great opportunity for us and for the community we serve.

Thank you,

A handwritten signature in black ink, appearing to read 'Peter Beilenson', with a long horizontal flourish extending to the right.

Peter L. Beilenson, M.D., M.P.H
Health Officer

THE BOARD OF GARRETT COUNTY COMMISSIONERS

203 South Fourth Street · Courthouse · Room 207, Oakland, Maryland 21550

www.garrettcounty.org · countycommissioners@garrettcounty.org

301-334-8970

301-895-3188

FAX 301-334-5000

Board of Commissioners

Dennis G. Glotfelty
Ernest J. Gregg
Frederick A. Holliday

County Administrator

R. Lamont Pagenhardt
County Attorney
Gorman E. Getty III

March 11, 2010

Gregory Urban
Deputy Chief Information Officer
State of Maryland
45 Calvert Street
Annapolis, Maryland 21401

Dear Mr. Urban:

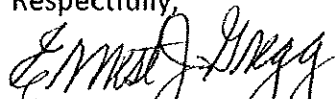
The Board of Garrett County Commissioners strongly supports the OneMaryland Broadband Network's application for ARRA Stimulus funding to provide an advanced broadband network throughout all of Maryland.

Garrett County is one of the most "rural" counties in the State, and with a large land area combined with low population density, one of the least well served counties. The plans to construct a fiber optic backbone throughout Maryland's rural counties will allow current and future internet service providers to offer vastly improved telecommunications/internet services in an affordable and sustainable manner. These improved services will benefit private citizens, local businesses, education, healthcare providers, and local government.

The Board of County Commissioners looks forward to your success in securing ARRA stimulus funds, and the deployment of a truly state of the art broadband infrastructure throughout Maryland. The Board respectfully requests your support for the OneMaryland Broadband Network Grant Application now being submitted to the US Department of Commerce.

Thank you,

Respectfully,



Ernest J. Gregg, Chairman

DAVID R. CRAIG
HARFORD COUNTY EXECUTIVE



ERNEST L. CRIST
MANAGER OF EMERGENCY SERVICES

LORRAINE COSTELLO
DIRECTOR OF ADMINISTRATION

HARFORD COUNTY GOVERNMENT

August 12, 2009

To Whom It May Concern:

On behalf of the Harford County Division of Emergency Operations, I would like to express support for the One Maryland Broadband application. It's my understanding that the proposed broadband project will connect wireless radio communications towers and key public safety facilities (firehouses, police stations, 911 Centers, etc.) and provide a high-speed network for the transmission of critical public safety information within and beyond jurisdictional boundary lines. This network will be beneficial to the efficient and effective delivery of public safety services.

Sincerely,

A handwritten signature in black ink, appearing to read "Ernest L. Crist".

Ernest L. Crist
Emergency Services Manager

Cc: Eapen, Justus
Thatcher, James

Preserving Harford's past; promoting Harford's future

MY DIRECT PHONE NUMBER IS 410-638-4900
2220 ADY ROAD, FOREST HILL, MARYLAND 21050 • www.harfordcountymd.gov



MONTGOMERY COUNTY COUNCIL
ROCKVILLE, MARYLAND

October 15, 2009

National Telecommunications and Information Administration
Department of Commerce
1401 Constitution Ave, NW
Washington, DC 20230

RE: One Maryland Broadband Plan (ID 2476); Broadband For All Montgomery (ID 1769)

Dear BTOP Program Administrator:

We write to express our strong support for the \$99 million One Maryland Broadband Plan grant application for Broadband Technologies Opportunities Program (BTOP) infrastructure funding and the \$281,225 Broadband for All Montgomery BTOP grant application for public computer center funding.

The One Maryland Broadband Plan will provide funding to interconnect and expand cost-effective government-operated fiberoptic networks across ten rural, urban, and suburban jurisdictions in central Maryland. Together, these networks will expand broadband access to millions of Marylanders by providing robust broadband service to 866 community anchor institutions, including more than 400 public schools and other low-income housing, library, hospital, and public safety agency sites. In Montgomery County, if funded, One Maryland Broadband will provide funding to provide high-speed broadband service to ninety-eight elementary schools, eighteen public housing properties serving low-income families and senior citizens (including some earning less than \$10,000 per year), five hospitals, three public safety facilities, and one library. Throughout Maryland, this project will create and foster economic development through public and private partnerships, create new broadband-economy jobs, and reach unserved and underserved populations that lack the broadband access necessary to thrive in today's economy. In return, One Maryland will provide a 22.4% match comprised of \$20 million in cash and \$5.8 million in equipment and in-kind services.

The Broadband for All Montgomery program will expand broadband access, training and education for low-income, unemployed and aged vulnerable populations in Montgomery County. If funded, this program will purchase and install 137 workstations and software to expand job-related training programs in eleven public housing public computer centers, two employment centers and two libraries; provide learning programs and assistance for low-income youth and seniors in public housing; and develop a broadband education course to expand broadband adoption and sustainability. In return, the County will provide a \$1.48 million match in training,

BTOP Program Administrator
October 15, 2009

homework assistance, software, and technical support resources; leverage \$127,920 in previously-awarded ARRA training funds; and provide \$1.93 million in in-kind facilities to support these fifteen public computer centers. In addition, if the One Maryland and Broadband for All Montgomery programs are both funded, the County will be able to provide 100 megabyte-per-second broadband service and fully functional computer workstations to the County's most vulnerable families living in public housing.

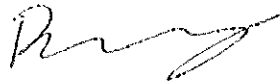
Without funding from the American Recovery and Reinvestment Act, many of Montgomery County's most vulnerable populations will be deprived of broadband access at the time when they need it most to search for and apply for jobs online, prepare for school, and fully participate in the digital economy. To prepare for the 2010 fiscal year that began July 1, 2009, Montgomery County closed a budget gap of more than \$587 million by reducing its budget by 1.1% and cutting 400 jobs. The County is anticipating a \$350 million budget gap for FY10, and Maryland is predicting a \$700 million budget shortfall with more cuts in aid to local governments. To preserve core services for education, public safety, and social safety net programs, the County has had to cut funding for new computers, expansion of its broadband network, and support for personnel at public library computer centers. Funding both applications would enable the County to expand broadband access to our most vulnerable populations at a time when they need it most to rebound from the economic recession.

We thank you for your efforts to expand broadband access to our community anchor institutions and most vulnerable populations, and we urge you to support the One Maryland Broadband Plan (ID 2476) and Broadband For All Montgomery (ID 1769) grant applications.

Sincerely,



Phil Andrews
Council President



Duchy Trachtenberg
Chair, Management and Fiscal Policy
Committee

cc: Mitsuko R. Herrera, Cable Communications Administrator, Montgomery County
(Broadband For All Montgomery contact)
Ira Levy, Chief Information Officer, Howard County (One Maryland contact)



UPPER SHORE REGIONAL COUNCIL

122 N. Cross St. 2nd Floor
Chestertown, Maryland 21620

Cecil County
Kent County
Queen Anne's County

(410) 810-1375 – phone
(410) 810-1748 – fax

Executive Board

Paul L. Gunther
Chair
Queen Anne's County
Commissioner

Jim Mullin
1st Vice Chair
Cecil County
Commissioner

William W. Pickrum
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Commissioner

Eric S. Wargotz, MD
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Treasurer
Queen Anne's County
Commissioner

Senator E. J. Pipkin
Maryland General Assembly

John A. Dillman III
Executive Director
jdillman@kentgov.org

Mr. Patrick Mitchell
President and Chief Executive Officer
Maryland Broadband Cooperative, Inc.
212 W. Main St., Suite 304
Salisbury, MD 21801

March 16, 2010

Reference: NTIA Broadband Technology Opportunities Program

Dear Mr. Mitchell,

The Upper Shore Regional Council (USRC) pledges full support to the Maryland Broadband Cooperative, Inc. (Mdbc) and endorses the Mdbc's application, being made in concert with the State of Maryland and OneMaryland, for a middle mile ARRA grant to expand broadband access in un-served and underserved communities, including the upper shore region of Maryland.

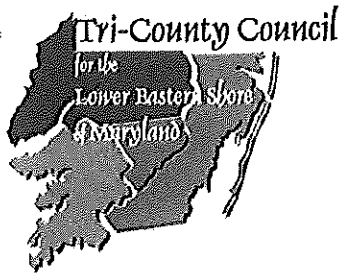
The USRC consists of the Maryland Senators, Delegates, County Commissioners, and representatives of municipal government within the Maryland counties of Cecil, Kent and Queen Anne's. Following years of study and research, the USRC, working through the Maryland Task Force on Broadband Communications Deployment in Underserved Rural Areas from 2003 to 2006 which was Chaired by the USRC Legislative Representative, Senator E. J. Pipkin, and in concert with our fellow regional and tri-county councils, determined that rural areas of Maryland are severely underserved and in many areas un-served with access to broadband. The research further demonstrated that the absence of broadband capacity was limiting our ability to attract and retain businesses, provide modern telehealth and telemedicine capabilities, provide the educational opportunities to our youth available to our urban neighbors and to youth in many parts of our world, and to simply allow our governments, businesses and families conduct activities in the modern methods of today's technology.

To resolve this problem, the USRC joined with the four other Maryland Regional and Tri-County Councils to create the Mdbc. In less than four years, the Mdbc has established a presence in rural Maryland that demonstrates the capability, with necessary financial resources, to bring modern technology availability to our unserved and underserved rural areas. The Mdbc's business model of assisting and enabling private sector internet service providers to bring these capabilities and services to our rural communities ensures sustainability consistent with the economic structure of the United States.

The USRC commits the resources of our member entities along with the political will of our membership to support the proposal of the MdBC to the NTIA Broadband Technology Opportunities Program and encourages the NTIA to approve the request. In doing so, we believe the resources of our federal government will be utilized in the best manner to meet the goals and objectives of the American Recovery and Reinvestment Act of 2009.

Sincerely,

Paul L. Gunther
Chair
Upper Shore Regional Council



March 17, 2010

Mr. Patrick Mitchell
President and C.E.O.
Maryland Broadband Cooperative, Inc.
212 West Main Street, Suite 304
Salisbury, MD 21801

Dear Mr. Mitchell:

The Tri-County Council for the Lower Eastern Shore of Maryland (TCCLES) supports the Maryland Broadband Cooperative, Inc. application to the Federal Government to obtain stimulus funding under the American Recovery and Reinvestment Act of 2009. This application that would bring broadband service to the rural areas of the state by constructing the fiber optic backbone and middle mile infrastructure will allow the private sector internet service providers to offer world-class service to the residents and businesses of the rural regions.

The TCCLES is a United States Department of Commerce Economic Development Administration (EDA) designated Economic Development District (EDD) – a geographic area distressed by per capita income and/or unemployment rate as defined by the federal government. Included in the Council's scope of work is the facilitation of the TCCLES Comprehensive Economic Development Strategy (CEDs) as required by the EDA. In the CEDs document goal three states:

We will ensure the infrastructure needed for economic diversification and growth, while adhering to guidelines that help limit growth's negative impact on our environment, quantity of open spaces, and quality of life.

Under this goal the objective states:

Expand information infrastructure, including linking the region's universities by advanced telecommunications systems

To accomplish this vision the TCCLES along with the other four Rural Regional Councils was instrumental in establishing the Maryland Broadband Cooperative, Inc. and continues to support its efforts.



As the TCCLES operates as a cooperative regional planning and development agency within Somerset, Wicomico and Worcester Counties to foster physical, economic, and social development, it realizes how crucial the availability of high speed fiber optics is to economic growth of the region. The Council is fully supportive of the Cooperative's effort to establish an universal access, fiber optic network designed to assist the private sector to provide broadband service in a technically sound, affordable and sustainable way.

The TCCLES, which comprises state and county elected officials, not only understands the importance of the fiber optic build out in the Lower Shore Region, but also in the entire State of Maryland. The Council supported this model at its inception and looks forward to continued participation in this collaborative effort to enrich the lives of the citizens of Maryland.

Sincerely,

Michael P. Pennington
Executive Director



DEPARTMENT OF ECONOMIC DEVELOPMENT

Isiah Leggett
County Executive

Steven A. Silverman
Director

March 23, 2010

Mr. Gregory Urban
Deputy State Chief Information Officer
State of Maryland
35 Calvert Street
Annapolis, Maryland 21041

Dear Mr. Urban:

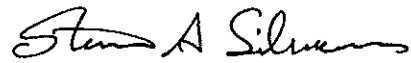
The Montgomery County Department of Economic Development is pleased to express its support for our intended participation in the One Maryland Broadband Network. We have a critical need for improved access to broadband service to help us achieve our core mission of creating, attracting, retaining and expanding businesses in Montgomery County, expanding employment opportunities for the residents of the County, enlarging the County's economic base, and enhancing the competitiveness of businesses located within the County.

The One Maryland Broadband Network is an unprecedented public-private partnership that will not only expand broadband service to critical community institutions, but one that will also provide opportunities for private broadband service entities to cost-effectively expand their networks and businesses. High speed broadband service is *essential* for business and economic development. If the One Maryland Broadband Network is constructed and middle-mile infrastructure is interconnected throughout the State:

- Rural residents and business in the County's Agricultural Reserve will have better access to the essential broadband services necessary to sustain rural business development.
- All residents and businesses will have expanded access to broadband to facilitate telecommuting and flexible work schedules, which are a key for families as well as for managed transportation solutions.
- Maryland will be more competitive in attracting large business, in addition to sustaining large companies such as Hughes Network Systems, which wants to be able to interconnect their satellite campuses and workers.
- Approximately 150 jobs will be created in Montgomery County.

Thank you for including the Montgomery County Department of Economic Development as one of your community anchors. Construction of the network would represent a great opportunity for us and for the community we serve.

Sincerely,

A handwritten signature in black ink that reads "Steven A. Silverman". The signature is written in a cursive style with a prominent initial "S" and a long, sweeping underline.

Steven A. Silverman
Director



10400 Detrick Avenue
Kensington, Maryland 20895-2484
(301) 929-6700

Gregory Urban
Deputy State CIO
State of Maryland
35 Calvert Street
Annapolis, MD 21041

Re: One Maryland Broadband Network

Dear Mr. Urban:

The Housing Opportunities Commission hereby indicates its support for and intended participation in the One Maryland Broadband Network Broadband Technologies Opportunity Program grant application. We have a critical need for improved access to broadband service to help us achieve our core mission of making housing available to eligible families of low and moderate income and provide necessary support services to encourage resident self-sufficiency in the community. Broadband is essential to enable our residents to apply for jobs, benefit programs, and to provide homework and tutoring for our school-aged residents. In the absence of this proposed network, however, we can neither afford nor purchase sufficient broadband service, given the prohibitive expense of comparable private sector service offerings available to our facilities.

If the One Maryland Broadband Network is constructed and we are connected to the middle-mile infrastructure, our anticipated broadband service will facilitate the vital community support we provide, including:

- Broadband education, awareness, and training for low-income, unemployed, aged, and otherwise vulnerable populations who reside in public housing
- Job training, access to benefit and medical services, and educational services provided via broadband to students, low-income, unemployed, aged, and otherwise vulnerable populations who reside in public housing

Construction of the One Maryland Broadband Network would provide 100 MBPS broadband service to eighteen public housing centers, thereby creating twenty jobs and expanding broadband access to over 6,000 students, low-income, unemployed, and aged residents.

Thank you for including the Montgomery County Housing Opportunities Commission as one of your community anchors. Construction of the network would represent a great opportunity for us and for the community we serve.

Sincerely,

A handwritten signature in black ink, appearing to read 'Annie Alston', written over a horizontal line.

Annie Alston
Executive Director



OFFICE OF THE STATE'S ATTORNEY
FOR
BALTIMORE CITY

208 THE CLARENCE M. MITCHELL, JR. COURTHOUSE
BALTIMORE, MARYLAND 21202

PATRICIA C. JESSAMY
STATE'S ATTORNEY

PHONE:

To: One Maryland Broadband Plan
C/O Ira Levy
Re: Baltimore USAI Support for One Maryland Broadband Plan

Date: August 12, 2009

I write to convey my strong support for the Broadband Technologies Opportunity Program (BTOP) grant application that Howard County is leading with other Maryland jurisdictions, known as the One Maryland Broadband Plan (OMB Plan). As enacted by the American Recovery and Reinvestment Act (ARRA), BTOP grant funding is available to create regional fiber networks to connect criminal justice and public safety agencies to enhance their broadband capacity.

The OMB coordinated approach to build and extend local networks seeks to leverage the demonstrated success of existing operational and institutional networks located in the greater Baltimore and Washington regions. In doing so, the OMB Plan would provide public safety enhanced high speed internet access through a shared regional network – a feat never before accomplished. This represents a profound benefit to criminal justice and public safety agencies throughout Central Maryland.

In addition, each member of the OMB consortium has demonstrated the ability to successfully administer cable and fiber networks by effectively balancing public interests with the realities of private markets. Therefore, the collective successes of the OMB consortium will provide an excellent foundation for expanding broadband access, creating jobs, and stimulating investment in Maryland.

Thank you for your consideration of the OMB Plan and its application for BTOP grant funding under ARRA.



Darren O'Brien
Assistant State's Attorney
Director of Management Information Systems
Office of the State's Attorney for Baltimore City
Technology Chair Baltimore City Criminal Justice Coordinating Council

CITY OF BALTIMORE

SHEILA DIXON, Mayor



OFFICE OF EMERGENCY MANAGEMENT

ROBERT MALONEY, Director
1201 E. Cold Spring Lane
Baltimore, Maryland 21239

August 12, 2009

One Maryland Broadband Plan
C/O Ira Levy

Subject: Baltimore UASI Support for One Maryland Broadband Plan

I write to convey my strong support for the Broadband Technologies Opportunity Program (BTOP) grant application that Howard County is leading with other Maryland jurisdictions, known as the One Maryland Broadband Plan (OMB Plan). As enacted by the American Recovery and Reinvestment Act (ARRA), BTOP grant funding is available to create regional fiber networks to connect community anchor institutions to enhance broadband capacity.

The OMB coordinated approach to build and extend local networks seeks to leverage the demonstrated success of existing operational and institutional networks located in the greater Baltimore and Washington regions. In doing so, the OMB Plan would provide public safety systems with enhanced high speed internet access through a shared regional network – a feat never before accomplished. This represents a profound benefit to public safety institutions throughout Central Maryland.

In addition, each member of the OMB consortium has demonstrated the ability to successfully administer cable and fiber networks by effectively balancing public interests with the realities of private markets. Therefore, the collective successes of the OMB consortium will provide an excellent foundation for expanding broadband access, creating jobs, and stimulating investment in Maryland.

Thank you for your consideration of the OMB Plan and its application for BTOP grant funding under ARRA.

Robert Maloney
Baltimore City Emergency Manager
Chair, Baltimore Urban Area Homeland Security Working Group

CITY OF BALTIMORE

SHEILA DIXON, Mayor



FIRE DEPARTMENT

JAMES S. CLACK, Chief
401 E. Fayette Street
Baltimore, Maryland 21202

To: Broadband Technology Opportunities Program
National Telecommunications and Information Administration

From: Baltimore City Fire Department
401 East Fayette Street
Baltimore, MD 21202

Re: City of Baltimore Fiber Optic Network

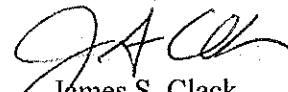
Date: August 12, 2009

The City of Baltimore is applying for the Broadband Technology Opportunity Program (BTOP) grant, which would provide much-needed information technology infrastructure to the City of Baltimore, including all of our fire stations. The proposed Fiber Optic Network project covered by this grant request will expand fiber optic coverage in Baltimore City and will give the Baltimore City Fire Department access to high speed broadband.

The increased capacity will allow us to move to internet based training programs for our firefighters and paramedics as well as become much more efficient and productive moving emergency response reports and other documents around the agency, the city and other levels of government.

Thank you for your consideration of our grant application and I hope you will help us make our BTOP project possible.

Sincerely;


James S. Clack
Fire Chief

Congress of the United States

Washington, DC 20510

March 24, 2010

The Honorable Gary Locke
Secretary
U. S. Department of Commerce
1401 Constitution Avenue, NW
Washington, D.C. 20230-0002

Dear Secretary Locke:

We are writing to collectively express our support for the OneMaryland Broadband Network plan. Submitted by the State of Maryland and key local government and private-sector partners, the application seeks middle mile infrastructure funding from Round 2 of the Broadband Technology Opportunity Program (BTOP). We strongly believe that the Maryland proposal will provide critical state-wide infrastructure that will lead Maryland into the technology-based economy of the 21st Century.

This application fits very tightly into the Comprehensive Community Infrastructure (CCI) category of funding. The OneMaryland proposal aims to connect a multitude of community anchor institutions throughout the entire State of Maryland, uniting rural, urban, and suburban communities in one contiguous network across the State. To be precise, if funded, Maryland would be able to provide or enhance broadband service to 1,144 community anchor institutions, including 469 K-12 schools, 68 public libraries, 311 public safety and 911 centers, and 24 community colleges. This funding will provide needed broadband service in certain areas, as well as leverage the demonstrated success of existing operational and institutional networks located throughout the State.

In building this network, the OneMaryland plan will spur economic development and job creation. It will also allow Maryland to complete never before accomplished feats such creating a fiber backbone and necessary redundancy for homeland security purposes that is interconnected amongst all local jurisdictions and State public safety entities. This proposal also has the added benefit of reducing State and local operating costs significantly by eliminating or reducing leased fiber and network connection costs, sharing internet access costs, and converting standard phone services to voice over internet protocol (VoIP).

The Maryland Delegation is extremely supportive of this proposal and looks forward to the great benefits it will bring to Maryland. This is especially true in light of the fact that Maryland did not receive any infrastructure grants in the first round of BTOP funding. Please keep us posted as these awards are announced.

Sincerely,



Barbara A. Mikulski
United States Senator



Benjamin L. Cardin
United States Senator



Steny H. Hoyer
Member of Congress



Elijah E. Cummings
Member of Congress



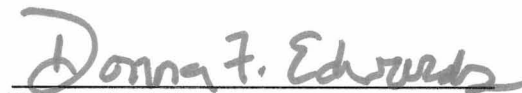
Roscoe G. Bartlett
Member of Congress



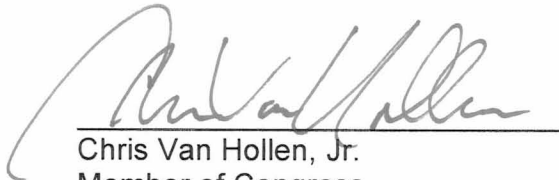
C.A. Dutch Ruppersberger
Member of Congress



John P. Sarbanes
Member of Congress



Donna F. Edwards
Member of Congress



Chris Van Hollen, Jr.
Member of Congress



Frank Kratovil, Jr.
Member of Congress

**THE FOLLOWING REPRESENT DRAFT MOUS CURRENTLY BEING FINALIZED
REGARDING THE EXECUTION AND COMMENCEMENT OF THE
ONE MARYLAND BROADBAND NETWORK**

**MEMORANDUM OF UNDERSTANDING
BETWEEN HOWARD COUNTY AND
THE STATE OF MARYLAND
REGARDING THE ONE MARYLAND BROADBAND NETWORK**

Howard County hereafter known as “Sub-recipient” or “Party” enters into a Memorandum of Understanding with the State of Maryland hereafter known as “Lead Applicant” or “Party” regarding the terms governing the One Maryland Broadband Network.

RECITALS

Whereas Congress established the Broadband Technologies Opportunities Program (“BTOP”) to be administered by the National Telecommunications and Information Administration (“NTIA”) in Section 6001 of the American Recovery and Reinvestment Act of 2009 (“ARRA”).

Whereas, On January 15, 2010, NTIA released a Notice of Funds Availability (“NOFA”) and subsequent Grant Guidelines to establish the general policy and application procedures for the second round of broadband initiatives established pursuant to the ARRA

Whereas, pursuant to the above-stated rules and grant guidelines, the Parties seek to partner together to submit one grant application in order to obtain BTOP funds for state-wide middle broadband infrastructure.

Whereas the State of Maryland will serve as the lead applicant for the entire project, to be named the “One Maryland Broadband Network” (“OMBN”). Each Party individually brings to the OMBN both infrastructure plans and matching monies that will serve as the foundation of the grant application

I. General Conditions

In consideration of these Recitals and the covenants and agreements of the Parties hereinafter set forth, the general conditions are set below:

A. Pursuant to grant guidelines, the State of Maryland will serve as the lead applicant on the grant application. Howard County, therefore will be designated a “Sub-recipient” for purposes of grant administration and governance.

B. In its capacity, Sub-recipient represents the interests of the Inter-County Broadband Network Consortium (“ICBNC”) consisting of Anne Arundel County, City of Annapolis, City of Baltimore, Baltimore County, Carroll County, Frederick County, Harford County, Montgomery County and Prince George’s County.

C. ICBNC members are full partners with Sub-recipient, including but not limited to providing project support and cash and in-kind monies to be counted towards the OMBN grant match requirement.

D. Sub-recipient and the ICBNC will enter into a Memorandum of Understanding detailing the responsibilities of each local government member. *See Attachment A for draft MOU.*

E. As a condition of Sub-recipient grant participation, Lead Applicant hereby agrees to the following:

1. The ICBNC will be responsible for all decisions, governance and operations within the ICBNC footprint. *See Appendix A for ICBNC Operational Governance Chart and ICBNC project implementation and administration Overview.*

2. ICBNC will individually own and operate the infrastructure located within their own local jurisdiction.

3. Lead Applicant agrees to establish an OMBN Governance Committee that includes Sub-recipient and other key partners.

4. Lead Applicant agrees to provide ICBNC with \$2 million dollars in cash matching dollars to be utilized in Year 1 of the project build.

F. As a condition to Sub-recipient grant participation, Sub-recipient hereby agrees to the following:

1. Sub-recipient will be subject to federal and state compliance with all the grant rules and requirements.

2. Sub-recipient through the ICBNC governance structure will be responsible for collection of all reporting, data and information required for grant administration and compliance.

3. Sub-recipient will supply to Lead Applicant all documentation necessary for final BTOP application including providing letters of commitment detailing supporting match from ICBNC .

4. Sub-recipient agrees to a resource share arrangement whereby Lead Applicant will receive 12 strands of fiber on any fiber routes built with BTOP funding.

II. Award Funding and Other Terms

A. Allocation of Awarded Funds; Reporting; Procurement.

If the NTIA awards funds to the OMBN, the Parties agree to administer funds in accordance with the grant rules and guidelines stated in this section.

1. Partial Sum Awarded. If NTIA awards funds to Lead Applicant in an amount less than the total requested amount of the OMBN, Lead Applicant shall distribute funds to the Parties as follows. First, the funds will be distributed to Parties as directed by NTIA. Second,

the funds will be distributed to the Parties proposing specific projects that NTIA designates for funding. Third, if NTIA does not designate the projects to be funded, the funds will be distributed in the amounts and to the projects as directed by the OMBN Governance Committee.

2. Partial Distribution of Funds. In the event a BTOP grant releases funds in separate payments, the above procedures for full and partial funding shall apply to each release of funds. In addition, should NTIA make the release of funds contingent upon the receipt of reports and data, the Lead Applicant shall consolidate all required reports and other compliance to permit the further release of the additional funds. If the releases of the funds do not match the timing of the capital requirements of the funded projects, the OMBN Governance Committee shall distribute the funds in a manner to assure all funded projects are best able to meet all federal requirements.

B. Hold Harmless. Each Party will hold all other Parties, the Administrative Agent, and the Consortium harmless from any claim by NTIA or other federal authorities that the Party has not used or administered the awarded funds as required by the terms of the grant. Further, if any federal authority acts directly against the State, the Consortium or the Administrative Agent because of the actions or inactions of any Party, (including but not limited to the de-obligation of funds specific to the territory of a Party); that Party shall undertake the defense of all named Parties and shall be solely and singularly responsible for any claims, penalties, refunds, or other liability which may be imposed by the federal authority.

C. No Waiver of Sovereign Immunity. Notwithstanding any provision of this MOU to the contrary, nothing in this MOU, nor any action taken by any Party pursuant to this MOU, nor any document that arises out of this MOU shall constitute or be construed as a waiver of either the sovereign immunity or governmental immunity of such persons or entities.

D. Dispute Resolution. Any dispute regarding or arising out of this MOU shall be made initially to or through the OMBN Governance Committee. In the event that the Committee cannot resolve the dispute, the affected Party or Parties may submit the dispute to an expert individual, acceptable to all affected Parties, for the purpose of facilitating discussion and receiving new perspectives on the issues and new proposals for compromise. Such mediation shall not be binding on either party.

E. Governing Law and Venue. This MOU shall be construed and enforced in accordance with the laws of the State of Maryland. The Parties agree that all disputes arising hereunder that cannot be resolved through other means shall be brought in a court of competent jurisdiction.

F. Term. This Agreement shall become effective as to each Party upon the date of signature by that Party ("Effective Date"). This Agreement shall remain in effect until the earlier of: a) December 31, 2019; or b) the final acceptance and approval by the relevant federal authority of compliance with all BTOP awards made pursuant to all Consortium applications or c) the final decision by NTIA to not fund any grant for any Consortium application.

G. Withdrawal. Any Party may withdraw from this Agreement at any time by written notice to all other Parties. That written notice must contain an unreserved promise by the

withdrawing Party to perform any and all of its responsibilities required by any BTOP grant awarded to the Party or any promises or obligations to the Consortium incurred prior to the date of withdrawal, including any reporting obligations that carry over past the date of withdrawal.

H. Entire Agreement. This MOU contains and embodies the entire agreement of the Parties. No representations, inducements, or agreements, oral or otherwise, between the Parties not contained herein shall be of any force and effect. This MOU may not be amended or modified in any manner other than by an agreement in writing approved by the Parties and duly signed by authorized persons on behalf of the Parties.

The Parties, through their respective authorized representatives, have executed this MOU on the dates indicated below.

STATE OF MARYLAND

By: _____
Name:
Title:

By: _____
Name:
Title:

ATTEST:

HOWARD COUNTY, MARYLAND

Lonnie Robbins
Chief Administrative Officer

Ken Ulman
County Executive

RECOMMENDED FOR APPROVAL:
this ___ day of _____, 2010.

Ira Levy, Director
Department of Technology and Communication Services

**APPROVED FOR LEGAL
SUFFICIENCY** this ___ day of _____
_____, 2010:

**APPROVED FOR SUFFICIENCY
OF FUNDS** this ____ day of _____
2010.

Margaret Ann Nolan
County Solicitor

Sharon F. Greisz, Director
Department of Finance

**MEMORANDUM OF UNDERSTANDING
BETWEEN HOWARD COUNTY AND THE
INTER-COUNTY BROADBAND NETWORK CONSORTIUM**

Howard County hereby enters into a Memorandum of Understanding with the City of Annapolis, Maryland; the County of Anne Arundel, Maryland; the City of Baltimore, Maryland; the County of Baltimore, Maryland; the County of Carroll, Maryland; the County of Frederick, Maryland; the County of Harford, Maryland; the County of Montgomery, Maryland; and the County of Prince George's, Maryland. Hereafter known as the "Parties", these local government jurisdictions collectively comprise the Inter-County Maryland Broadband Network Consortium ("ICBNC").

RECITALS

Whereas Congress established the Broadband Technologies Opportunities Program ("BTOP") to be administered by the National Telecommunications and Information Administration ("NTIA") in Section 6001 of the American Recovery and Reinvestment Act of 2009 ("ARRA").

Whereas, On January 15, 2010, NTIA released a Notice of Funds Availability ("NOFA") and subsequent Grant Guidelines to establish the general policy and application procedures for the second round of broadband initiatives established pursuant to the ARRA.

Whereas, Pursuant to the above-stated rules and grant guidelines, the Parties seek to partner together with the State of Maryland to submit one grant application in order to obtain BTOP funds for state-wide middle broadband infrastructure .

Whereas, the State of Maryland, will serve as the lead applicant for the entire project to be named the "One Maryland Broadband Network" ("OMBN") and each Party individually brings to the ICBNC both infrastructure plans and federal matching monies that will serve as the foundation of the OMBN.

In consideration of these Recitals and the covenants and agreements of the Parties hereinafter set forth, the Parties agree as follows:

- Pursuant to grant guidelines, the State of Maryland will serve as the lead applicant on the grant application. Howard County, therefore will be designated a "sub-recipient" for purposes of grant administration and governance.
- Howard County will enter into a Memorandum of Understanding with the State of Maryland establishing the "sub-recipient" relationship that incorporates the recitals, covenants and agreements herein. In return for a similar commitment from the State, the Memorandum of Understanding entered into by Howard County shall include a commitment on behalf of the ICBNC members to agree to all requirements stated in the BTOP application.
- The ICBNC will be responsible for all decisions, governance and operations within the parties' own territories. Additionally, the parties will individually own and operate the

infrastructure located within their own territory.

- The Parties have established an operational governance structure that will serve to manage the ICBNC. *See Appendix A for Operational Governance Chart.*
- The Operational Governance. Policies and procedures shall be determined by a Consortium Steering Committee (“CSC”). The committee membership will be comprised of one (1) individual appointed by each Party. Each member of the CSC shall have one vote. A quorum shall be two-thirds of all members of the CSC. All business of the CSC shall be subject to the approval of a majority of the members of the CSC present and voting. Attendance may be in person, by phone, or by video connection. The CSC shall select from its membership a Chair to call and to preside over meetings. Certain tasks specifically described herein shall be administered by the County of Howard, Maryland (“Administrative Agent”).

As part of the grant application, the Administrative Agent has submitted to the State a budget detailing the project staff that will be required to carry out the ICBNC project implementation and administration. *See Appendix B.*

- Allocation of Awarded Funds; Reporting; Procurement. If the NTIA awards funds to the OMBN, the Administrative Agent shall allocate any awarded funds to Parties in accordance with the grant rules and guidelines stated in this section.
 - a. Partial Sum Awarded. If NTIA awards funds to the Consortium in an amount less than the total requested amount of the ICBNC, the Administrative Agent shall distribute funds to the Parties as follows. First, the funds will be distributed to Parties as directed by NTIA. Second, the funds will be distributed to the Parties proposing specific projects that NTIA designates for funding. Third, if NTIA does not designate the projects to be funded, the funds will be distributed in the amounts and to the projects as directed by the CSC.
 - b. Partial Distribution of Funds. In the event a BTOP grant releases funds in separate payments, the above procedures for full and partial funding shall apply to each release of funds. In addition, should NTIA make the release of funds contingent upon the receipt of reports and data, the CSC staff shall consolidate all required reports and other compliance evidence from every Party to assure that the State receive the information required to permit the further release of the additional funds. If the releases of the funds do not match the timing of the capital requirements of the funded projects, the CSC shall direct the Administrative Agent to distribute the funds in a manner to assure all funded projects are best able to meet all federal requirements.
 - c. Disclaimer: All commitments to matching funds are contingent to the receipt of the full amount requested by the ICBN as stated by the BTOP application.

- Reporting and Compliance. All parties will be subject to federal and state compliance with all the grant rules and requirements.

Each Party receiving funds through the ICBNC shall compile reports required by, and in accordance with, all applicable grant rules and federal law. Such reports shall be submitted to the CSC 2 weeks prior to the federal deadline. CSC Staff shall consolidate such reports and, subject to CSC approval, shall file the reports with the State at least one week prior to the federal deadline to allow for aggregation and inclusion in the State report. Each Party receiving funds through the ICBNC agrees to cooperate with the Consortium and to comply with the instructions of the CSC to provide such information as may be required to fully comply with the terms of the BTOP grant award.

- Hold Harmless. Each Party will hold all other Parties, the Administrative Agent, and the Consortium harmless from any claim by NTIA or other federal authorities that the Party has not used or administered the awarded funds as required by the terms of the grant. Further, if any federal authority acts directly against the State, the Consortium or the Administrative Agent because of the actions or inactions of any Party, (including but not limited to the de-obligation of funds specific to the territory of a Party); that Party shall undertake the defense of all named Parties and shall be solely and singularly responsible for any claims, penalties, refunds, or other liability which may be imposed by the federal authority.
- No Waiver of Sovereign Immunity. Notwithstanding any provision of this MOU to the contrary, nothing in this MOU, nor any action taken by any Party pursuant to this MOU, nor any document that arises out of this MOU shall constitute or be construed as a waiver of either the sovereign immunity or governmental immunity of such persons or entities.
- Dispute Resolution. Any dispute regarding or arising out of this MOU shall be made initially to or through the CSC. In the event that the CSC cannot resolve the dispute, the affected Party or Parties may submit the dispute to an expert individual, acceptable to all affected Parties, for the purpose of facilitating discussion and receiving new perspectives on the issues and new proposals for compromise. Such mediation shall not be binding on either party.
- Governing Law and Venue. This MOU shall be construed and enforced in accordance with the laws of the State of Maryland. The Parties agree that all disputes arising hereunder that cannot be resolved through other means shall be brought in a court of competent jurisdiction.
- No Third Party Beneficiaries. The Parties hereto mutually agree that no provision of this MOU shall create in the public or in any person or entity other than the Parties any rights as a third party beneficiary hereunder.
- Term. This Agreement shall become effective as to each Party upon the date of signature by that Party (“Effective Date”). This Agreement shall remain in effect until the earlier of: a) December 31, 2019; or b) the final acceptance and approval by the relevant federal authority of compliance with all BTOP awards made pursuant to all Consortium applications or c) the final decision by NTIA to not fund any grant for any Consortium application.

- Withdrawal. Any Party may withdraw from this Agreement at any time by written notice to all other Parties. That written notice must contain an unreserved promise by the withdrawing Party to perform any and all of its responsibilities required by any BTOP grant awarded to the Party or any promises or obligations to the Consortium incurred prior to the date of withdrawal, including any reporting obligations that carry over past the date of withdrawal.
- Entire Agreement. This MOU contains and embodies the entire agreement of the Parties. No representations, inducements, or agreements, oral or otherwise, between the Parties not contained herein shall be of any force and effect. This MOU may not be amended or modified in any manner other than by an agreement in writing approved by the Parties and duly signed by authorized persons on behalf of the Parties.

The Parties, through their respective authorized representatives, have executed this MOU on the dates indicated on the following signature pages:

ATTEST:

HOWARD COUNTY, MARYLAND

CITY OF ANNAPOLIS, MARYLAND

By: _____
Name:
Title:

By: _____
Name:
Title:

ANNE ARUNDEL COUNTY, MARYLAND

By: _____
Name:
Title:

By: _____
Name:
Title:

CITY OF BALTIMORE, MARYLAND

By: _____
Name:
Title:

By: _____
Name:
Title:

BALTIMORE COUNTY, MARYLAND

By: _____
Name:
Title:

By: _____
Name:
Title:

CARROLL COUNTY, MARYLAND

By: _____
Name:
Title:

By: _____
Name:
Title:

FREDERICK COUNTY, MARYLAND

By: _____
Name:
Title:

By: _____
Name:
Title:

HARFORD COUNTY, MARYLAND

By: _____
Name:
Title:

By: _____
Name:
Title:

MONTGOMERY COUNTY, MARYLAND

By: _____
Name:
Title:

By: _____
Name:
Title:

PRINCE GEORGE'S COUNTY, MARYLAND

By: _____
Name:
Title:

By: _____
Name:
Title:

CERTIFICATION REGARDING LOBBYING LOWER TIER COVERED TRANSACTIONS

Applicants should review the instructions for certification included in the regulations before completing this form. Signature on this form provides for compliance with certification requirements under 15 CFR Part 28, "New Restrictions on Lobbying."

LOBBYING

As required by Section 1352, Title 31 of the U.S. Code, and implemented at 15 CFR Part 28, for persons entering into a grant, cooperative agreement or contract over \$100,000 or a loan or loan guarantee over \$150,000 as defined at 15 CFR Part 28, Sections 28.105 and 28.110, the applicant certifies that to the best of his or her knowledge and belief, that:

(1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

(3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure occurring on or before October 23, 1996, and of not less than \$11,000 and not more than \$110,000 for each such failure occurring after October 23, 1996.

Statement for Loan Guarantees and Loan Insurance

The undersigned states, to the best of his or her knowledge and belief, that:

In any funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this commitment providing for the United States to insure or guarantee a loan, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

Submission of this statement is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required statement shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure occurring on or before October 23, 1996, and of not less than \$11,000 and not more than \$110,000 for each such failure occurring after October 23, 1996.

As the duly authorized representative of the applicant, I hereby certify that the applicant will comply with the above applicable certification.

NAME OF APPLICANT	AWARD NUMBER AND/OR PROJECT NAME
Maryland Department of Information Technology	One Maryland Broadband Network

PRINTED NAME AND TITLE OF AUTHORIZED REPRESENTATIVE
Gregory Urban, Deputy State CIO, Operations

SIGNATURE	DATE
	9 June 2010

CERTIFICATION REGARDING LOBBYING

Applicants should also review the instructions for certification included in the regulations before completing this form. Signature on this form provides for compliance with certification requirements under 15 CFR Part 28, "New Restrictions on Lobbying." The certifications shall be treated as a material representation of fact upon which reliance will be placed when the Department of Commerce determines to award the covered transaction, grant, or cooperative agreement.

LOBBYING

As required by Section 1352, Title 31 of the U.S. Code, and implemented at 15 CFR Part 28, for persons entering into a grant, cooperative agreement or contract over \$100,000 or a loan or loan guarantee over \$150,000 as defined at 15 CFR Part 28, Sections 28.105 and 28.110, the applicant certifies that to the best of his or her knowledge and belief, that:

(1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

(3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure occurring on or before October 23, 1996, and of not less than \$11,000 and not more than \$110,000 for each such failure occurring after October 23, 1996.

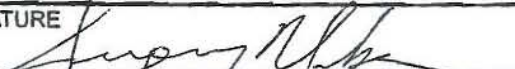
Statement for Loan Guarantees and Loan Insurance

The undersigned states, to the best of his or her knowledge and belief, that:

In any funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this commitment providing for the United States to insure or guarantee a loan, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

Submission of this statement is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required statement shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure occurring on or before October 23, 1996, and of not less than \$11,000 and not more than \$110,000 for each such failure occurring after October 23, 1996.

As the duly authorized representative of the applicant, I hereby certify that the applicant will comply with the above applicable certification.

NAME OF APPLICANT	AWARD NUMBER AND/OR PROJECT NAME
Maryland Department of Information Technology	One Maryland Broadband Network
PRINTED NAME AND TITLE OF AUTHORIZED REPRESENTATIVE	
Gregory Urban, Deputy State CIO, Operations	
SIGNATURE	DATE
	9 June 2010

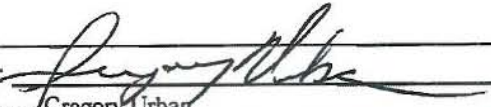
DISCLOSURE OF LOBBYING ACTIVITIES

Complete this form to disclose lobbying activities pursuant to 31 U.S.C. 1352

Approved by OMB

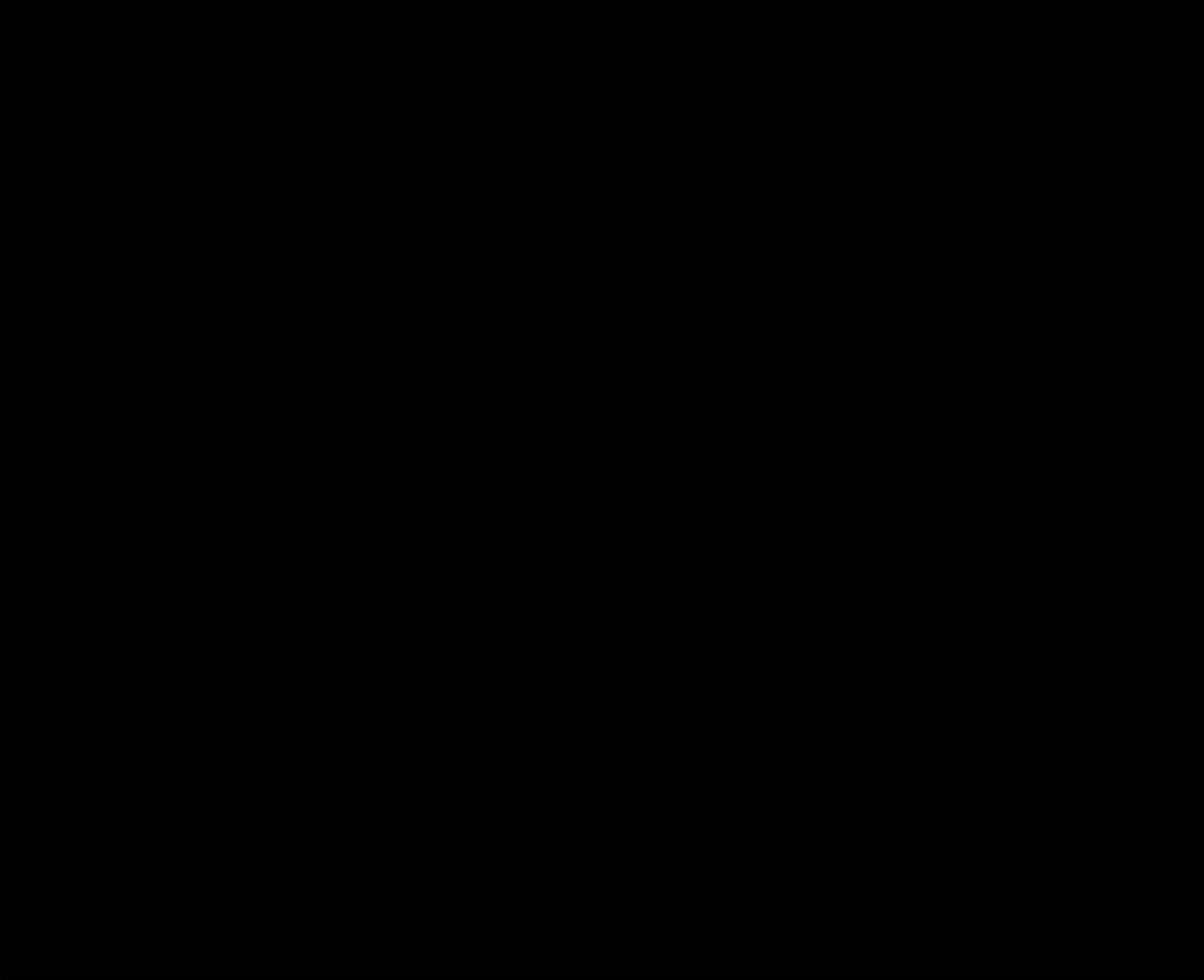
0348-0046

(See reverse for public burden disclosure.)

1. Type of Federal Action: <input type="checkbox"/> a. contract <input checked="" type="checkbox"/> b. grant c. cooperative agreement d. loan e. loan guarantee f. loan insurance	2. Status of Federal Action: <input type="checkbox"/> a. bid/offer/application <input type="checkbox"/> b. initial award <input type="checkbox"/> c. post-award	3. Report Type: <input type="checkbox"/> a. initial filing <input type="checkbox"/> b. material change For Material Change Only: year _____ quarter _____ date of last report _____
4. Name and Address of Reporting Entity: <input checked="" type="checkbox"/> Prime <input type="checkbox"/> Subawardee Tier _____, if known: Congressional District, if known: ^{4c}	5. If Reporting Entity in No. 4 is a Subawardee, Enter Name and Address of Prime: Congressional District, if known:	
6. Federal Department/Agency: Department of Commerce / NTIA	7. Federal Program Name/Description: ARRA / Broadband Technology Opportunities Program CFDA Number, if applicable: <u>11.577</u>	
8. Federal Action Number, if known:	9. Award Amount, if known: \$	
10. a. Name and Address of Lobbying Registrant <i>(if individual, last name, first name, MI):</i> n/a	b. Individuals Performing Services <i>(including address if different from No. 10a)</i> <i>(last name, first name, MI):</i> n/a	
11. Information requested through this form is authorized by title 31 U.S.C. section 1352. This disclosure of lobbying activities is a material representation of fact upon which reliance was placed by the tier above when this transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.	Signature:  Print Name: <u>Gregory Urban</u> Title: <u>Deputy State CIO; State of Maryland Department of IT</u> Telephone No.: <u>410-260-7279</u> Date: <u>06/28/2010</u>	
Federal Use Only:		Authorized for Local Reproduction Standard Form LLL (Rev. 7-97)

Income Statement

	Forecast Project Period							
	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8
Revenues								



Balance Sheet

	Forecast Project Period							
Assets	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8

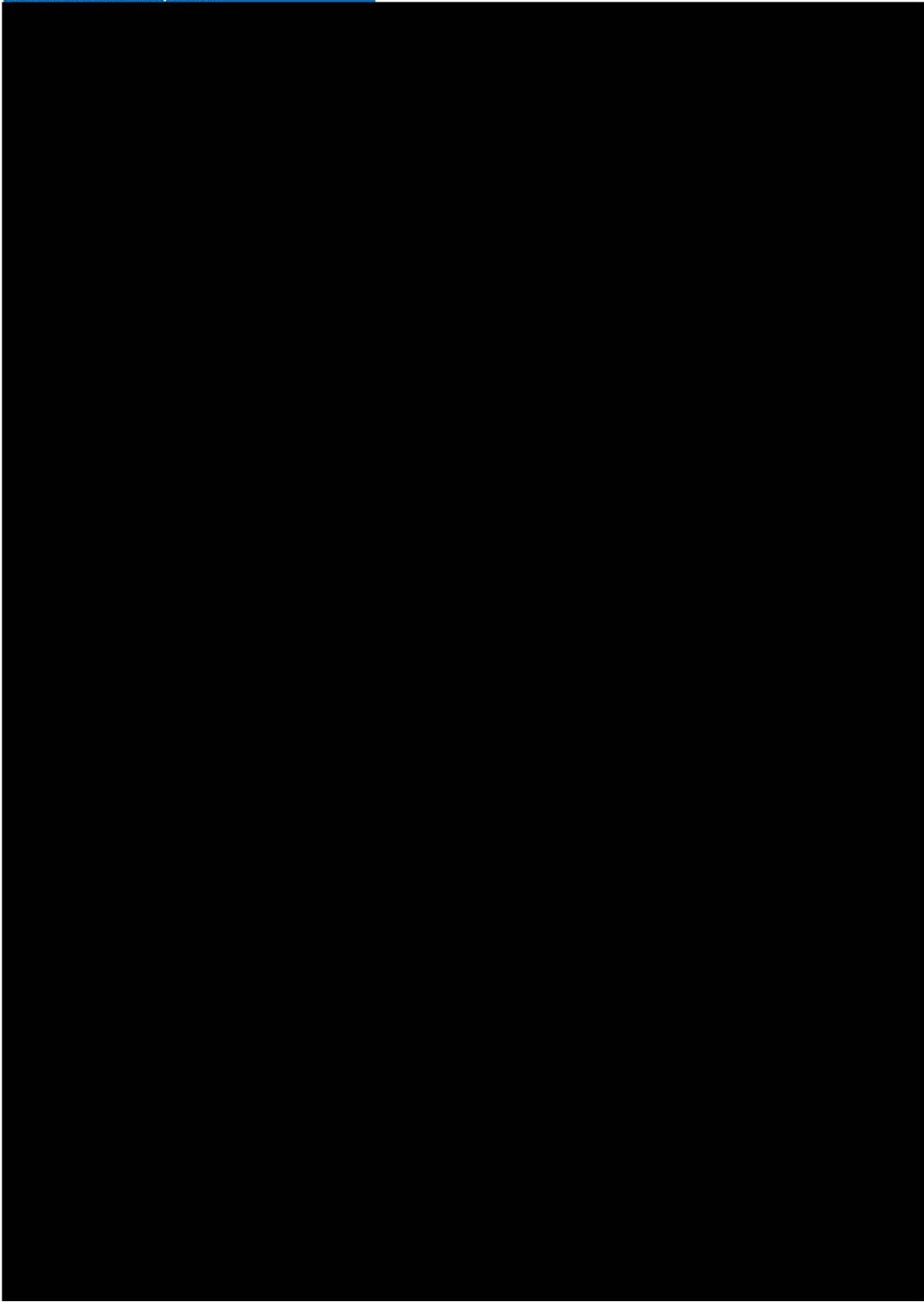
Statement of Cash Flows

Forecast Project Period							
Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8

NPV/IRR Table

	Net Present Value	Internal Rate of Return
Without BTOP Funding		
With BTOP Funding		

Revenue Assumptions



7 Pages

Withheld in their entirety
pursuant to FOIA Exemption 4
(5 U.S.C. § 552 (b)(4))

BTOP Comprehensive Community Infrastructure Subscriber Estimates Template

Please complete the complete the Subscriber Estimates worksheet.

All applicants should indicate their 8-year subscriber forecasts with a breakdown by type of subscriber (residential/individual, businesses, community anchor institutions, third party service providers) and service offerings. The names of the service offerings should match those provided in the Service Offering and Competitor Data attachment, enabling reviewers to easily cross-reference between the two documents. The Year 0 column should be used to denote any existing customers within the Proposed Funded Service Area. In addition, applicants that project that they will have third party service provider customers should include a line for parties "Served by Third Party Service Providers," showing an estimate of how many residential/individual, community anchor institution, and business customers will be served by those service providers, as demonstrated in the example below. At the bottom of the table, applicants should provide customer totals across all service offerings, with and without customers indirectly served through a third party service provider (if applicable). Applicants should also include a brief discussion of their methodology for deriving these estimates.

In contrast to several other attachment templates in this application, the data provided via this template will NOT be subject to automated processing. Applicants are permitted to modify the template layout in order to provide the most effective presentation of the date for their specific project, but such modifications are generally discouraged. Applicants should, in any case, ensure that they provide at least as much detail as the provided templates requires. To the extent that you modify these templates, please ensure that the print layouts are adjusted so that rows do not break across pages in a manner that will be difficult to understand. It is recommended that you provide these documents in PDF format when submitting a copy of your application on an appropriate electronic medium, such as a DVD, CD-ROM, or flash drive.

EXAMPLE

Name of Service Offering	Customer Type	Year 0	Cumulative/ Net Add	Year 1				Year 2			
				Qtr 1	Qtr 2	Qtr 3	Qtr 4	Qtr 1	Qtr 2	Qtr 3	Qtr 4
Mega-Metro E - 100 Mbps	Community Anchor Inst.	0	Cumulative	0	0	0	0	5	10	17	26
			Net Add	0	0	0	0	5	5	7	9
	Business	0	Cumulative	0	0	0	0	12	27	52	82
			Net Add	0	0	0	0	12	15	25	30
	Third Party Service Provider	0	Cumulative	0	0	0	0	1	2	4	6
			Net Add	0	0	0	0	1	1	2	2
Served by Third Party Service Providers	Indirect - Res./Ind.	0	Cumulative	0	0	0	0	1000	3000	5000	10000
			Net Add	0	0	0	0	1000	2000	2000	5000
	Indirect - Business	0	Cumulative	0	0	0	0	2	8	18	30
			Net Add	0	0	0	0	2	6	10	12
	Indirect - Com. Anchor Inst.	0	Cumulative	0	0	0	0	0	2	3	5
			Net Add	0	0	0	0	0	2	1	2

Broadband Subscriber Estimates

Name of Service Offering	Customer Type	Year 0	Cumulative/ Net Add	Year 1				Year 2				Year 3				Year 4	
				Qtr 1	Qtr 2	Qtr 3	Qtr 4	Qtr 1	Qtr 2	Qtr 3	Qtr 4	Qtr 1	Qtr 2	Qtr 3	Qtr 4	Qtr 1	Qtr 2

5 Pages

Withheld in their entirety
pursuant to FOIA Exemption 4
(5 U.S.C. § 552 (b)(4))

Proposed Middle Mile Service Offerings

Name of Service Offering	Distance Band or Point to Point	Minimum Peak Load Network Bandwidth Capacity (Mbps)	Monthly/Yearly Pricing (\$)	Other Comments/Description/Features or Limitations
[Redacted Content]				

9 Pages

Withheld in their entirety
pursuant to FOIA Exemption 4
(5 U.S.C. § 552 (b)(4))

BTOP Comprehensive Community Infrastructure Service Area Template

Please complete the complete the CCI Service Area worksheet. In each line you will provide name of a service area and one of the contiguous Census tracts or block groups that make up service area. Please provide full 11-digit Census tract numbers, includes the 2-digit State FIP the 3-digit county code, followed by a unique 6-digit tract number. For Census block groups please provide the full tract number, plus the 1-digit block group number (12 digits total). If more than one Census tract or block group in a service area, there will be multiple lines in the for that service area. It is critical that the service area names provided in this table match with service area names provided in the Service Area Details page of the application. Please review document and Service Area Details page for consistency before submitting your application.

Important Note: Excel truncates leading zeros from numbers. Consequently, the tract/block column on the worksheet has been formatted as text. This formatting should not be altered validity of your data may be compromised.

The data provided via this attachment will be subject to automated processing. Applicants are therefore required to provide this attachment as an Excel file, and not to convert it to a PDF submitting a copy of your application on an appropriate electronic medium, such as a DVD, CD-ROM, or flash drive. Additionally, Applicants should not modify the format of this file (*e.g.*, by adding or removing worksheets). Do not leave blank lines in the table between service area.

EXAMPLE

Service Area Name	Tract or Block Group #
Big BB Project South	01001020100
Big BB Project South	01001020100
Big BB Project South	010010202001
Big BB Project West	01001020400
Big BB Project North	01001020800
Big BB Project North	010010209002

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BTOP CCI Service Area Template

Title: **One Maryland Broadband Network**
Easy Grants ID: **7392**

Service Area Name	Tract or Block Group #
One Maryland Broadband Network	240358101002
One Maryland Broadband Network	240358102002
One Maryland Broadband Network	240358102001
One Maryland Broadband Network	240358101001
One Maryland Broadband Network	240358103002
One Maryland Broadband Network	240358103001
One Maryland Broadband Network	240358104001
One Maryland Broadband Network	240358104003

**U.S. Department of Commerce
Broadband Technology Opportunities Program
Authentication and Certifications**

1. I certify that I am the duly Authorized Organization Representative (AOR) of the applicant organization, and that I have been authorized to submit the attached application on its behalf.
2. I certify that I have examined this application, that all of the information and responses in this application, including certifications, and forms submitted, all of which are part of this grant application, are material representations of fact and true and correct to the best of my knowledge, that the entity(ies) that is requesting grant funding pursuant to this application and any subgrantees and subcontractors will comply with the terms, conditions, purposes, and federal requirements of the grant program; that no kickbacks were paid to anyone; and that a false, fictitious, or fraudulent statements or claims on this application are grounds for denial or termination of a grant award, and/or possible punishment by a fine or imprisonment as provided in 18 U.S.C. §1001 and civil violations of the False Claims Act.
3. I certify that the entity(ies) I represent has and will comply with all applicable federal, state, and local laws, rules, regulations, ordinances, codes, orders and programmatic rules and requirements relating to the project. I acknowledge that failure to do so may result in rejection or deobligation of the grant or loan award. I acknowledge that failure to comply with all federal and program rules could result in civil or criminal prosecution by the appropriate law enforcement authorities.
4. I certify that the entity(ies) I represent has and will comply with all applicable administrative and federal statutory, regulatory, and policy requirements set forth in the Department of Commerce Pre-Award Notification Requirements for Grants and Cooperative Agreements ("DOC Pre-Award Notification"), published in the Federal Register on February 11, 2008 (73 FR 7696), as amended; DOC Financial Assistance Standard Terms and Conditions (Mar. 8, 2009); the Department of Commerce American Recovery and Reinvestment Act Award Terms (Apr. 9, 2009); and any Special Award Terms and Conditions that are included by the Grants Officer in the award.
5. I certify that any funds awarded to the entity(ies) I represent as a result of this application will not result in any unjust enrichment of such entity(ies) or duplicate any funds such entity(ies) receives under federal universal service support programs administered by the Universal Service Administrative Corporation (USAC).
6. I certify that the entity(ies) I represent has secured access to pay the 20% of total project cost or has petitioned the Assistant Secretary of NTIA for a waiver of the matching requirement.

03.25.10

Date



Authorized Organization Representative Signature

ELLIOT SCHLANGER

Print Name

SECRETARY

Title

BUDGET INFORMATION - Construction Programs

OMB Approval No. 4040-0008
Expiration Date 07/30/2010

NOTE: Certain Federal assistance programs require additional computations to arrive at the Federal share of project costs eligible for participation. If such is the case, you will be notified.

COST CLASSIFICATION	a. Total Cost	b. Costs Not Allowable for Participation	c. Total Allowable Costs (Columns a-b)
1. Administrative and legal expenses	\$ 13,584,100.00	\$ 0.00	\$ 13,584,100.00
2. Land, structures, rights-of-way, appraisals, etc.	\$ 1,350,000.00	\$ 0.00	\$ 1,350,000.00
3. Relocation expenses and payments	\$ 0.00	\$ 0.00	\$ 0.00
4. Architectural and engineering fees	\$ 15,550,369.00	\$ 0.00	\$ 15,550,369.00
5. Other architectural and engineering fees	\$ 6,465,789.00	\$ 0.00	\$ 6,465,789.00
6. Project inspection fees	\$ 0.00	\$ 0.00	\$ 0.00
7. Site work	\$ 0.00	\$ 0.00	\$ 0.00
8. Demolition and removal	\$ 0.00	\$ 0.00	\$ 0.00
9. Construction	\$ 114,927,335.00	\$ 0.00	\$ 114,927,335.00
10. Equipment	\$ 30,873,670.00	\$ 0.00	\$ 30,873,670.00
11. Miscellaneous	\$ 4,088,679.00	\$ 0.00	\$ 4,088,679.00
12. SUBTOTAL (sum of lines 1- 11)	\$ 186,839,942.00	\$ 0.00	\$ 186,839,942.00
13. Contingencies	\$ 0.00	\$ 0.00	\$ 0.00
14. SUBTOTAL	\$ 186,839,942.00	\$ 0.00	\$ 186,839,942.00
15. Project (program) income	\$ 0.00	\$ 0.00	\$ 0.00
16. TOTAL PROJECT COSTS (subtract #15 from #14)	\$ 186,839,942.00	\$ 0.00	\$ 186,839,942.00
FEDERAL FUNDING			
17. Federal assistance requested, calculate as follows: (Consult Federal agency for Federal percentage share.) Enter the resulting Federal share.	Enter eligible costs from line 16c Multiply X 74.7744 %		\$ 139,708,442.00

ASSURANCES - CONSTRUCTION PROGRAMS

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0042), Washington, DC 20503.

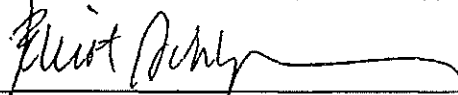
PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET. SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.

NOTE: Certain of these assurances may not be applicable to your project or program. If you have questions, please contact the Awarding Agency. Further, certain Federal assistance awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant, I certify that the applicant:

1. Has the legal authority to apply for Federal assistance, and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project costs) to ensure proper planning, management and completion of the project described in this application.
2. Will give the awarding agency, the Comptroller General of the United States and, if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the assistance; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. Will not dispose of, modify the use of, or change the terms of the real property title, or other interest in the site and facilities without permission and instructions from the awarding agency. Will record the Federal interest in the title of real property in accordance with awarding agency directives and will include a covenant in the title of real property acquired in whole or in part with Federal assistance funds to assure non-discrimination during the useful life of the project.
4. Will comply with the requirements of the assistance awarding agency with regard to the drafting, review and approval of construction plans and specifications.
5. Will provide and maintain competent and adequate engineering supervision at the construction site to ensure that the complete work conforms with the approved plans and specifications and will furnish progress reports and such other information as may be required by the assistance awarding agency or State.
6. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
7. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
8. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§4728-4763) relating to prescribed standards for merit systems for programs funded under one of the 19 statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).
9. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§4801 et seq.) which prohibits the use of lead-based paint in construction or rehabilitation of residence structures.
10. Will comply with all Federal statutes relating to non-discrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. §794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. §§6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. §§290 dd-3 and 290 ee-3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and, (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.

11. Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal and federally-assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.
12. Will comply with the provisions of the Hatch Act (5 U.S.C. §§1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.
13. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. §§276a to 276a-7), the Copeland Act (40 U.S.C. §276c and 18 U.S.C. §874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§327-333) regarding labor standards for federally-assisted construction subagreements.
14. Will comply with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.
15. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§1451 et seq.); (f) conformity of Federal actions to State (Clean Air) Implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. §§7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended (P.L. 93-523); and, (h) protection of endangered species under the Endangered Species Act of 1973, as amended (P.L. 93-205).
16. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
17. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. §470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. §§469a-1 et seq.).
18. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996 and OMB Circular No. A-133, "Audits of States, Local Governments, and Non-Profit Organizations."
19. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations, and policies governing this program.

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL 	TITLE One Maryland Broadband Network
APPLICANT ORGANIZATION MARYLAND DEPARTMENT OF INFORMATION TECHNOLOGY	DATE SUBMITTED March 24, 2010