REQUEST FOR PROPOSALS

BOONE COUNTY DEVELOPMENT AUTHORITY

ROCK CREEK DEVELOPMENT PARK

BROADBAND PROJECT

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I. BROADBAND PROJECT PURPOSE

The Boone County Development Authority ("BCDA") is seeking proposals from qualified respondents interested in providing the services as described in this request for proposals ("RFP"). The primary purpose of the Broadband Project is to develop, design, and deploy fiber-optic broadband Internet service passing specified sites within the Rock Creek Development Park targeted for development. At a minimum, service meeting 10/10 Gbps is required with the ability to deliver faster services preferred.

II. ROCK CREEK DEVELOPMENT PARK

The Rock Creek Development Park ("RCDP") is the site of the former Hobet 21 surface coal mine. The site, which includes approximately 25,000 acres, straddles the border between Boone and Lincoln Counties with its eastern edge near U.S. RT 119 (Corridor G) in Boone County. A new interchange and access road are currently under construction that, when complete, will provide direct access to the RCDP from U.S. RT 119 just north of the Danville Exit. Initial planned developments of the RCDP will be located in this eastern area of the property that will be immediately accessible by this new interchange.

To support plans for the development of RCDP, a water main line extension and storage tank project is currently in the design phase with construction expected to begin in the winter of 2027. This project will provide potable water to the support construction of the Mountain State Clean Energy Complex to be constructed in the "Office Area" with groundbreaking expected in 2027. The Mountain State Clean Energy Complex will be the first occupants of the RCDP and is anticipated to include a synthetic graphite manufacturing facility operated by AmeriCarbon Hobet, LLC that will use clean electric power generated by large-scale solar and pumped storage hydropower generated by Javelin- Cassingham Ventures LLC.

Additionally, plans are being developed to provide sanitary sewer service to the area and to extend public roadways across RCDP in preparation for further developments.

III. PROJECT DESCRIPTION

The proposed Broadband Project will enable the deployment of fiber-optic broadband service to the sites within the Rock Creek Development Park targeted for initial development ("Phase 1"). The map, attached as Appendix A, defines the areas intended to be served through this project. Over time, as development of the Park continues, it is anticipated that expansion of this service area will be required.

The selected ISP will be expected to assist BCDA's project engineer through the design process for the technical requirements of the fiber cable, conduit, handholes, vaults, splice enclosures, and other related materials to adhere to the providers standards of fiber infrastructure. With the assistance of funding provided by the Appalachian Regional Commission (ARC), BCDA will publicly procure a construction contractor in a manner compliant with applicable ARC and Federal rules and regulations, to construct this infrastructure as designed.

As specified by federal regulations, BCDA will maintain ownership of any fiber, conduit, and related infrastructure constructed with assistance of federal funding. BCDA will negotiate with the selected ISP to reach an operation and maintenance agreement through which the selected ISP will perform any necessary repairs as needed to maintain a functional fiber system. As part of the O&M agreement, the selected ISP will be the party responsible for obtaining and maintaining insurance coverage for the proposed facilities. The selected ISP will supply all ancillary and related network equipment for the deployment of requested service to a subscriber utilizing the BCDA fiber infrastructure for the physical fiber connection.

The BCDA and selected ISP will enter into negotiations on the terms of an IRU (Indefeasible Right of Use) for the use of the BCDA fiber cable and related assets in exchange for the ISP to provide the Operation and Maintenance (O&M) as needed for the fiber infrastructure.

Because the selected ISP will benefit from the use of infrastructure constructed with federal funding, the selected ISP must have and maintain an active registration with SAM.gov.

IV. GOALS OF THIS PROCUREMENT

Financial Goals

Within the available budget, BCDA will construct a hybrid aerial and underground fiber path including utility pole make ready work and conduit necessary for the implementation of this project. BCDA seeks an ISP that is financially able to procure a fiber backhaul circuit, provide all necessary equipment to establish service, and maintain the system at industry standards to provide reliable service. BCDA does not seek the inclusion of profit-sharing in the agreement with the ISP selected as result of this RFP and is willing to negotiate waiver of fees associated with use of BCDA fiber infrastructure, including rights-of-way and easements, for the term of the agreement resulting from this RFP.

Service Goals

The BCDA seeks an ISP that will deliver broadband services at a minimum of 10/10 Gbps, with preference towards providers offering the ability to scale to 100/100 Gbps. The optimal ISP will be able to provide business customers with multiple options for broadband service speeds. Future businesses within the RCDP may include heavy business internet users and require consistent service with excellent reliability. The ISP should offer businesses unlimited data transfer via Dedicated Internet Access (DIA) with Service Level Agreements (SLA) to ensure uptime and service restoration commitments are met. Of utmost importance to the BCDA is that the ISP provide excellent customer service to the businesses at the RCDP served by the Project. BCDA expects the selected ISP will continue to improve its services and upgrade its technology to provide, at minimum, services equal to its competitors.

Partnership Goals

As mentioned above, the selected ISP will work with the BCDA's engineer to ensure that the network is designed to provide optimal service and will be compatible with the ISP's technology and parameters.

V. SCOPE OF SERVICES

Respondents to this RFP must submit a detailed scope of work outlining the project plan, tasks, scheduling, and milestone events. Services are expected to include, at a minimum, the following:

A. Assist in Providing System Design. BCDA has procured Potesta & Associates ("Potesta") to provide design and permitting services for the Broadband Project. The selected ISP will provide technical specifications for the planned 288 fiber count cable and related materials to be installed along the RCDP access road using an aerial and underground construction method. Potesta has planned the preliminary route of fiber installation and will obtain the necessary permits for construction.
B. The selected ISP will splice into the newly constructed fiber cable with sufficient strands to support service provisions from multiple locations along the fiber route in RCDP to support potential tenant connections with broadband service.

Approximate splicing location indicated in the map below.

C. The selected ISP will work with Potesta to determine what facilities will be needed to offer broadband services to tenants of the park by providing rack space and power requirements of the providers router or switching equipment. As future tenants arrive in the Park after construction of the initial facilities, the selected ISP will provide any additional facilities necessary and fiber connectivity back to the designated fiber connection points along the BCDA fiber route.
D. Operation and Maintenance of the Facilities. The selected ISP will individually be responsible for the operation and upkeep of the network as well as marketing and leasing services over the network once it is established and in operation. Throughout the term of the agreement resulting from this RFP, the selected provider will maintain and upgrade equipment to provide reliable, high-quality service.
E. Customer Service and Support. The selected ISP will provide excellent customer service and promote, market, sell, and deliver services over the network to customers located in the RCDP. The selected provider will provide customer recruitment, sign-ups, customer billing, and end-user hookups.
F. Provide pricing options for Broadband Service Speeds. Identify, and provide supporting information related to, the service options and speed tiers the ISP will provide to customers.
    a. Service tier minimum should be at least 10/10Gbps that can scale to multi gigabit service levels.
    b. Network backhaul capacity per service point must be 10 Gigabits per second (Gbps) minimum, but capable of scaling to accommodate the maximum

customer capacity as designed. Total Internet peering capacity must accommodate the aggregate backhaul bandwidth of all service points.

G. Service Level Agreement. Provide a proposed service level agreement that would be provided to customers.
    a. System with at least 99.9% uptime.
    b. Latency: Service latency averaging 30 milliseconds (ms) round-trip time.
    c. All products proposed MAY NOT contain monthly data caps or bandwidth/speed reduction due to metered usage.

H. Reporting Requirements. The selected ISP will provide BCDA accurate, monthly progress reports to enable the project team to understand the status and timeline of deployment. Once operational, the selected ISP will provide quarterly reports to BCDA certifying the number and nature of customers served as well as that the network is being maintained to industry standards applicable at the time.
    a. ARC's financial assistance shall not be used to procure services, nor enter into a contract with a party, that uses covered telecommunications technology banned by Section 889 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019, Pub. Law 115-232.
    b. Respondent is required to provide a written overview of the technology (or technologies) they operate to achieve the requested connectivity and services.
    c. Respondent must be able to guarantee network availability more than 99.9% of the time except for outages caused by the customer's equipment, natural disaster or other force majeure, or downtime for planned and pre-notified maintenance occurring during non-business hours. Respondent shall provide a minimum mean-time to restore of 4 hours of electronics.
    d. Respondent shall provide both telephone and internet support access to open tickets for service issues. The Respondent will provide details of the areas to be included, including locations of premises to be served and estimated route mileage.
    e. Respondent shall provide redundant and/or protected routes and electronics to maintain the reliability and service availability required to the entrance of RCDP site.
    f. RFP response shall detail and explain how service reliability and availability will be achieved as well as how the SLA requirements will be met. This explanation shall include network architecture, electronics and software used to meet reliability requirements.
    g. Respondent shall provide BCDA near-real-time access to SLA compliance reports and metrics through electronic means.

VI. ORGANIZATION OF THE PROPOSAL

The Proposal shall be limited to 10 pages, exclusive of pre-printed resumes, and similar material that the proposing ISP believes will aid in determining its qualifications for the Project. The following guidelines must be followed by all potential ISPs.

A. General Provisions to this RFP must include the following information:
    1. The name, address and telephone number of the proposing ISP.
    2. Identification of the individuals and/or vendors comprising the Project team for this Project and what specific role each will take in completing the work and operating the network.
    3. A summary of the ISP's experience providing service for similar projects. Please provide examples of the design, equipment and results of these projects.
    4. A detailed work plan describing the ISP's approach to assisting the design, installation, testing, training, marketing, promotion, and operation and maintenance of the facilities.
    5. Describe the ISP's training program.
    6. Provide detailed support information.
    7. Provide an attestation to the ISP's commitment to improving its services and technology to provide, at minimum, services equal to its competitors.
    8. Provide a turn-up schedule detailing how long the ISP will take to turn on service once a customer has requested it.
B. Introduction
    1. A general introduction and description of the proposed approach and methodology shall be provided. The introduction should include a statement of the ISP's approach to providing design assistance, achieving the required middle-mile backhaul and providing business and internet service to the end users.
C. Scope of Work
    1. Describe the work program to accomplish the scope of work described above. The work program should address issues identified in the Project Description and shall provide a detailed description of the work to be accomplished.
D. Relevant Experience
    1. Provide the name and background information and resume of the management team, along with the committed project manager and any member of the ISP who will perform the actual work described in the RFP and

who will work with the BCDA Project team on a regular basis. Additionally, provide the names and background of all other professional staff that will be working as part of the ISP's Project team. An organizational chart should be included as well as resumes for each participating staff person.

2. Provide the relevant previous experience of the project lead. Do not include work done by the firm that the project lead did not have a primary role in managing. Provide at least three references for projects similar to the proposed project that have been successfully completed in the past 10 years. BCDA reserves the right to contact the proposing ISP's previous clients at any time.

E. Cost
    1. A cost proposal should be prepared to demonstrate the anticipated rate structure for service, internal cash flow including revenues and operation and maintenance expenses.

VII. SUBMITTAL OF THE PROPOSAL

A. To be eligible for consideration, all ISPs interested in responding to this RFP must submit a Letter of Intent to the BCDA on or before August 27,2026 at 4:00 pm. (local time). The Letter of Intent must be submitted by e-mail to Kris Mitchell at kmitchell@boonecountywv.gov.
B. Respondents shall submit five hard (5) copies and an electronic copy of their Proposal at the time of submission. The completed Proposal package must be received by the Boone County Development Authority, 327 State Street, Suite B, Madison, WV 25130-1100 by 3:00PM on Thursday, September 17, 2026. Please provide an electronic copy of the submitted Proposal to Kris Mitchell at kmitchell@boonecountywv.gov. Faxes will not be accepted.
C. All Proposals, as well as any modifications, received at 327 State Street, Suite B, Madison, WV 25130-1100 after the hour and date specified above, will not be accepted. Postmarks are not accepted. All Proposals will become the property of the BCDA and will not be returned.
D. The Proposal shall be signed by an officer or officers authorized to execute legal documents on behalf of the Proposing ISP and shall contain a statement to the effect that the Proposal is a firm offer for a 90-day period.

VIII. PROPOSAL ACCEPTANCE

Primary consideration will be given to the general appropriateness of the Proposal for the Project, the technical competence and creative ability of the ISP, the internet speeds being offered and the ISP's willingness to work closely with BCDA and Project team. BCDA reserves the right to reject all Proposals that are inappropriate or inadequate.

Anticipated Project Schedule:

- Pre-Submittal Meeting: **August 19, 2026**
- Written Letter of Intent Due: **August 27, 2026**
- Deadline for Questions or Clarifications: **September 3, 2026**
- Publication of Addendum: **September 10, 2026**
- Written Proposals Due: **September 17, 2026**
- Selection of Short List Proposers and Interviews (if required): **October 1, 2026**
- Selection Committee Recommendation: **October 8, 2026**
- Contract Negotiation with Successful Proposer: **Completed by November 5, 2026**
- Design Complete: **March 1, 2027**
- Construction Contract Procurement: **April 1, 2027 – May 4, 2027**
- BCDA Approval / Notice to Proceed with Construction: **June 1, 2027**
- Major Construction Completed: **December 31, 2027**
- Project Closeout: **January 31, 2028**

VIII. BCDA REQUIREMENTS

The contract will be awarded only to a responsible ISP. To qualify as responsible, a prospective ISP must meet the following standards, as they pertain to this Request for Proposals.

A. The ISP must have adequate technical and financial resources for performance, as well as adequate equipment, or have the ability to obtain and to manage such resources and equipment.
B. The ISP must have the necessary experience, organization, technical qualifications, and skills.
C. The ISP must have a satisfactory record of contractual performance.
D. The ISP must have an excellent record of customer service.
E. The ISP must maintain the auditable records, documents and papers related to the Project for inspection by authorized BCDA representatives.

F. The ISP must be able to provide insurance coverage as following in conformance with the BCDA's requirements:
    1) General Liability Insurance $2,000,000
    2) Automobile Insurance $1,000,000
    3) Workers Compensation Insurance $1,000,000
    4) Professional Errors and Omissions Insurance $2,000,000
    5) Electronic Data Breach Insurance $2,000,000
G. The ISP must be otherwise qualified and eligible under all applicable laws and regulations.

IX. BCDA CRITERIA FOR SELECTING AN ISP FOR THE PROJECT

BCDA criteria in selecting an ISP will include but is not limited to:

- The ISP's background and capabilities, including the ISP's history and area of specialization, or particular expertise.
- The qualifications of the individuals who will assist the project engineer through the design phase of work.
- The background of all team members on the Project team who are proposed to assist in the development of this Project.
- The relevant experience of the ISP's lead person for the Project.
- The ISP's expertise with similar projects.
- The ISP's ability to provide a system design that meets the Project's defined needs.
- The ISP's ability to meet minimum guaranteed performance requirements and reliability. Preference shall be given to guaranteed performance above and beyond the minimum required 10/10 Mbps threshold for service.
- The ISP's ability to maintain and operate the system.

X. Voluntary Pre-Submittal Meeting

ISPs are invited to attend a voluntary pre-submittal meeting with BCDA Project Staff at 10:00AM on Wednesday, August 19, 2026**.** The meeting will be held at the offices of the Regional Intergovernmental Council at 315 D Street, South Charleston, WV 25303 and is intended to provide an opportunity for ISPs to ask questions and view project conditions. Please email Sojuana Ellis at sojuanaellis@wvregion3.org for details concerning

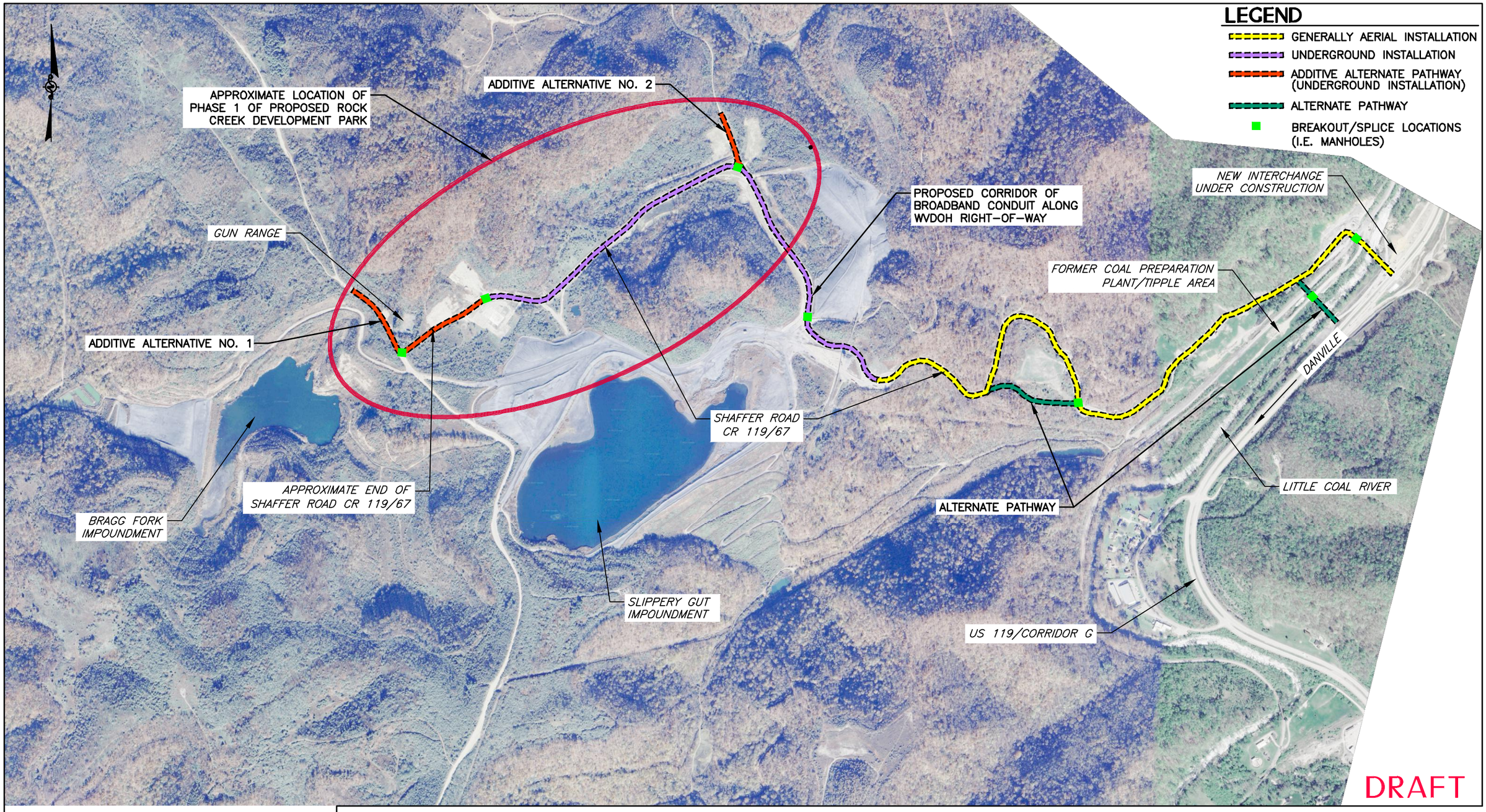
participation in the meeting either in person or by zoom. All proposals are due by 3:00PM on Thursday, September 17, 2026.

XI. LIMITATIONS

A. All reports and pertinent data or materials shall be the sole property of BCDA and may not be used or reproduced in any form without the explicit written permission of the BCDA.
B. This RFP does not commit BCDA to award a contract, or to pay any costs incurred in the preparation of the Proposals. BCDA reserves the right to accept or reject any or all Proposals received as a result of this RFP, to negotiate with any qualified ISP, to withdraw and republish this RFP, or to cancel this RFP in part or in its entirety. BCDA may require the selected ISP to participate in negotiations and to submit such technical, price, or other revisions to their Proposal as may result from negotiations.

XII. ATTACHMENT

A. Map



BASE TOPOGRAPHIC MAPPING AS PROVIDED TO POTESTA & ASSOCIATES, INC. BY GOOGLE EARTH PRO

PROJECT #: 101-24-0364 FILENAME: 24-0364-FIG 1

POTESTA

POTESTA & ASSOCIATES, INC.
ENGINEERS AND ENVIRONMENTAL CONSULTANTS
7012 MacCorkle Ave. SE, Charleston, WV 25304
TEL: (304) 342-1400 FAX: (304) 343-9031
E-Mail Address: potesta@potesta.com

Project
SITE LOCATION MAP
BCPSD ROCK CREEK DEVELOPMENT PARK
BROADBAND EXTENSION
BOONE COUNTY, WEST VIRGINIA

Scale 1"=1000'

Date APRIL 2026

Dwg. No. FIGURE 1

File: S:\C3D-Proj-YR\2024\24-0364-ROCK CREEK\24-0364-FIG 1.dwg
Plot Date/Time: Apr 24, 2026 - 4:13pm
Plotted By: cabird