



STATE OF UTAH
The Governor's Office of Economic Opportunity
Utah Broadband Center

FOURTH AMENDMENT TO GRANT AGREEMENT
Broadband Access Grant

- Parties:** Governor's Office of Economic Opportunity, the Utah Broadband Center, referred to collectively as the "State", and the following Grantee listed below:

Box Elder County
1 South Main Street
Brigham City, UT 84302

Contact Person: Paul Davis
Primary Contact Phone #: (435) 757-4677
Email: paulb@brag.utah.gov

Legal Status of Grantee: Governmental Entity
Federal Tax ID: 87-6000293
Vendor #: VC0000128922

Project Name: Box Elder County High Speed Internet Expansion

State and Grantee are referred to collectively herein as the "Parties".

- Incorporation of Contract and Effect of Amendment.**

2.1 The Parties previously entered into a Grant Agreement Broadband Access Grant effective September 8, 2022 ("Grant Agreement"), with the purpose that the Grantee may obtain and maintain eligibility for the State Broadband Access Grant program to provide funding for the construction and expansion of highspeed broadband service in unserved or underserved areas of the State. Also, the Parties agreed to a Second Amendment dated February 28, 2024 ("Second Amendment"). Also, the Parties agreed to a Third Amendment dated April 15, 2024 ("Third Amendment").

2.2 State and Grantee agree to amend Section 4, page 1, of the Grant Agreement to modify the Project Completion date from February 1, 2025 to a new estimated Project Completion Date of: March 31, 2025.

2.3 Now, State and Grantee agree to amend the Scope of Work, Attachment C, page 24, of the Grant Agreement to modify the locations of deployment and the number of households and businesses passed.

- Miscellaneous Provisions**

3.1 **Entire Agreement.** This Forth Amendment constitutes the entire agreement of the Parties hereto with respect to the subject matter hereof and supersedes all prior agreements and amendments or undertakings, both written and oral, among the parties with respect to the subject matter hereof. Except as amended by this Fourth Amendment, the Grant Agreement (as amended by the First, Second, and Third Amendments), shall continue in full force and effect.



3.2 **Severability.** If any term or other provision of this Fourth Amendment is invalid, illegal or incapable of being enforced by any law or public policy, all other terms and provisions of this Fourth Amendment shall nevertheless remain in full force and effect so long as the economic or legal substance of the transactions contemplated by this Fourth Amendment is not affected in any manner materially adverse to any party. Upon such determination that any term or other provision is invalid, illegal or incapable of being enforced, the parties hereto shall negotiate in good faith to modify this Fourth Amendment so as to affect the original intent of the parties as closely as possible in an acceptable manner in order that the transactions contemplated by this Fourth Amendment are consummated as originally contemplated to the greatest extent possible.

3.3 **Counterparts.** This Fourth Amendment may be executed and delivered (including by facsimile or electronic transmission) in one or more counterparts, and by the different parties hereto in separate counterparts, each of which when executed shall be deemed to be an original but all of which taken together shall constitute one and the same agreement. Electronic signatures on are acceptable, and as effective as ink signatures.

(This Section is intentionally left blank, the signature page follows)



IN WITNESS WHEREOF, the parties have signed this Second Amendment as of the dates below.

STATE:
UTAH BROADBAND CENTER

GRANTEE:
BOX ELDER COUNTY

Name: Jim Grover
Title: Managing Director of Incentives and Grants
Date:

Name:
Title:
Date:

**GOVERNOR’S OFFICE OF ECONOMIC
OPPORTUNITY**

**GOVERNOR’S OFFICE OF ECONOMIC
OPPORTUNITY**

Name: Jason Marden
Title: Director of Finance
Date:

Name: Kamron Dalton
Title: Managing Director of Operations (COO)
Date:

APPROVED BY:
DIVISION OF FINANCE

Name:
Title:
Date:

Attachment 1

Revised Project Scope of Work

Summary:

The project will extend fiber optic internet access to the door of over 920 households and businesses in rural communities of Box Elder County, including Mantua, Howell, Bear River City, Elwood, and the unincorporated areas of Thatcher, and Penrose.

This investment from the Utah Broadband Center will build out the fiber backbone of each community and the contracted telecommunications provider will provide last-mile connections to each user at no additional charge to the subscriber.

The backhaul between locations will consist of Ciena hardware and will start with 10Gbps capacity with the ability to add additional 10Gbps links or 100Gbps as needed. Each cabinet will start with one Calix E7-2 GPON blade that has 8 GPON ports capable of 2.5Gbps down, 1.2Gbps up, and supporting up to 32 subscribers per port with a total of 256 subscribers per blade. Adding additional blades to support more subscribers is easily done. As bandwidth requirements continue to grow, we can utilize the Calix 10Gbps PON platform side by side with the existing platform without a major overhaul and using the same fiber plant. At the subscriber's premise we will use Calix ONTs/Routers to support end users. Calix and Ciena are top-tier fiber network hardware are used by numerous service providers around the world.

This investment will provide residents and businesses of dispersed, remote communities in Box Elder County with access to state-of-the art "future-proof" fiber optic telecommunications technology. This infrastructure will be incrementally upgradable for at least the foreseeable decade. It will provide access to critical communication, education, health care, and economic opportunity in portions of the state that are otherwise unlikely to receive private investment within the decade due to geographic remoteness and low population densities.

This investment will allow for the adoption of high-speed internet service at multiple community institutions including Howell Town Office, Elwood Town Office, Bear River City Town Office, Mantua City Office, and the Box Elder County Roads Department Office in Elwood, and several churches within and surrounding these communities.

Last-mile deployment of connection lines to subscribers' doors will be provided without cost to subscribers, and multiple service subscription tiers will be available to incentivize adoption by low-income households.

The EIG website measurements indicate that, as a whole, Box Elder County is in a good place, economically. However, by the measure of Per Capita Personal Income, a common metric for Federal Economic Development Assistance, Box Elder County lags behind national averages at 72%, \$40,621 to \$56,490.

Additionally, remote rural communities within the county have lower median incomes and struggle with economic diversity and opportunity due to lack of access to consistent high speed internet service. Two of the three U. S. Census tracts that encompass this project area record 2019 Per Capital Money Incomes of less than 80% of the national average at \$25,671 and \$26,380 to \$34,103.

Project Plans (see attached Plans, stamped by a Professional Engineer)



Map of Project’s Geographic Area (see attached to Application)

Deliverables: Grantee shall construct, install, and provide high-speed broadband service with speeds set forth in the table below for customers/households in the Project Geographic Area. Broadband services shall be at a minimum: 100 Mbps download and 20 Mbps upload speeds and shall have low latency of less than 100 ms, and packet loss of less than two percent (2%).

Customer Pricing Table (Example provided below is specific, and comes from the Grantee’s Project application):

\$60/month - 1 Gig Download/1 Gig Upload speeds and number of passes: 424

Description	Number of
Households	1,149
Businesses	12
Farms/Ranches	33
Anchor Institutions or Public Facilities	9