**Memorandum of Agreement - Pole Survey Work**

**Whereas,** the Town of *Rowe* (the “Town”) has submitted a Readiness Request Form to the Massachusetts Broadband Institute (“MBI”) seeking state grant funding from the Massachusetts Technology Collaborative (“MassTech”) to support a proposed project to install and manage a Fiber to the Home (FTTH) broadband network (the “Project”);

**Whereas,** the MBI’s technical team has worked collaboratively with the Town to complete a readiness evaluation of the Project based on the Last Mile Town Readiness Submission Form and supporting documentation submitted by the Town to MBI (see Attachment 1);

**Whereas,** MBI’s technical team has reached an initial determination that the Project satisfies the threshold criteria for an award under MBI’s Last Mile Program for unserved towns; and

**Whereas,** the Town has committed to utilize MBI’s services to oversee and manage the design, construction, testing and turnover of the broadband network as generally described in the documents referenced in Attachment 1.

Now therefore, MBI and the Town mutually agree to proceed with the next steps on the Project as follows:

1. MBI, at the request of the Town, agrees to engage the services of a prequalified contractor to survey all applicable utility poles in the Town and collect certain data on each utility pole that may be used in the future to file pole license applications as part of the make ready process for the Project.
2. The Town and/or MBI make the following representations and acknowledgments with regard to the Project:
	1. MBI acknowledges that the Town will not have to reimburse MBI for the costs incurred to conduct the pole survey work on behalf of the Town.
	2. The Town and MBI acknowledge that the pole owner(s) will only accept pole license applications with the pole data and information that is deemed to be timely and accurate. The Town further acknowledges that it will need to use the pole data and information collected by MBI expeditiously if the Town subsequently decides to directly procure and manage design and construction work for the Project. The Town and MBI agree that the timely use of pole data and information assures both parties that the expenditure of state funds to support this task will not result in a stranded investment of public funds.
	3. The Town represents and warrants that it has taken actions that it deems necessary and appropriate to determine the level of interest of Town residents in purchasing broadband services from a municipally owned broadband network and further, has undertaken its own evaluation of the financial sustainability of the Project and the risks associated with owning, operating and maintaining a municipally owned broadband network.
	4. The MBI warrants that the pole survey data will meet all necessary standards required by the utilities for pole license applications.

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| TOWN OF ROWE, MA | MASSACHUSETTS TECHNOLOGY COLLABORATIVE |
| \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Last Mile Town Representative | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_MBI Technical Team Project Manager |
| \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Chair, Board of Selectmen | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_MBI Technical Director |
|  | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_MassTech Interim Executive Director |

**Attachment 1
Readiness Evaluation and Recommendation and Supporting Documentation**

See attached supporting documentation:

* Town Readiness Submission Form – Rowe (dated September 15, 2016)
* Sustainability Worksheet – Rowe (dated August 24, 2016)
* Rowe Readiness Evaluation and Recommendation (dated September 2, 2016)
* Rowe approval letter – From DLS