UNDERSTANDING THE BROADBAND EQUITY, ACCESS, AND DEPLOYMENT (BEAD) PREQUALIFICATION APPLICATION

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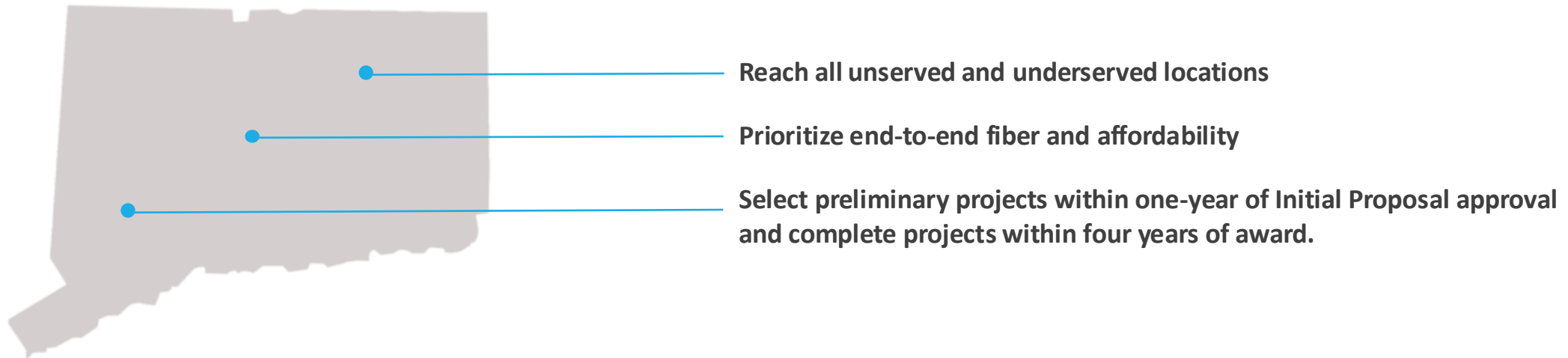
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AGENDA

1. BEAD Program Overview

2. Prequalification Background

3. Prequalification Application

4. Prequalification Highlights

5. Q&A

BEAD PROGRAM
OVERVIEW

ABOUT THE BEAD PROGRAM

- Created by the Bipartisan Infrastructure Investment and Jobs Act ("IIJA" or "BIL")

- Allocated $42.45 billion of federal funding to all 50 states, Washington D.C., and territories

- Administered by the National Telecommunications and Information Administration (NTIA)

- **The goal is internet for all**: Expand high-speed internet access via infrastructure deployment & adoption programs

Reach all unserved and underserved locations

Prioritize end-to-end fiber and affordability

Select preliminary projects within one-year of Initial Proposal approval and complete projects within four years of award.
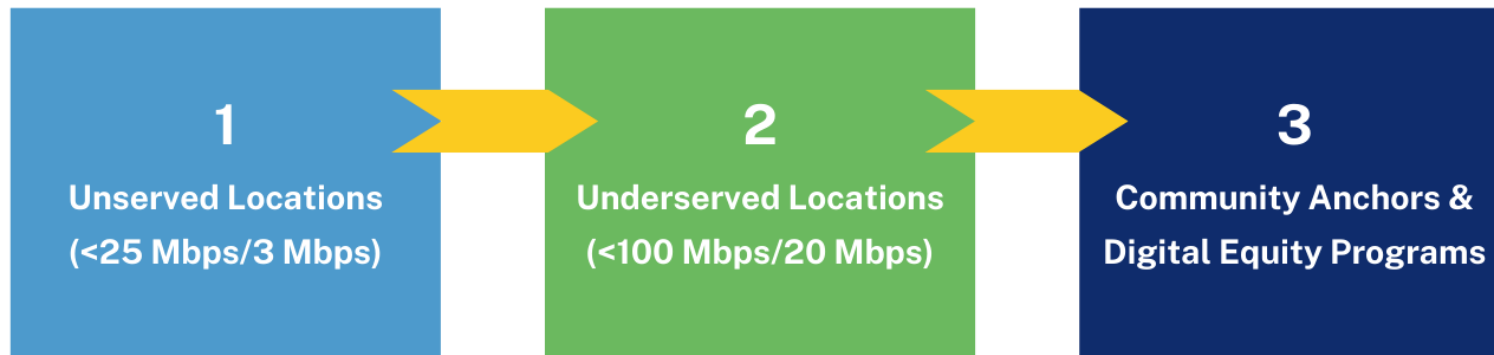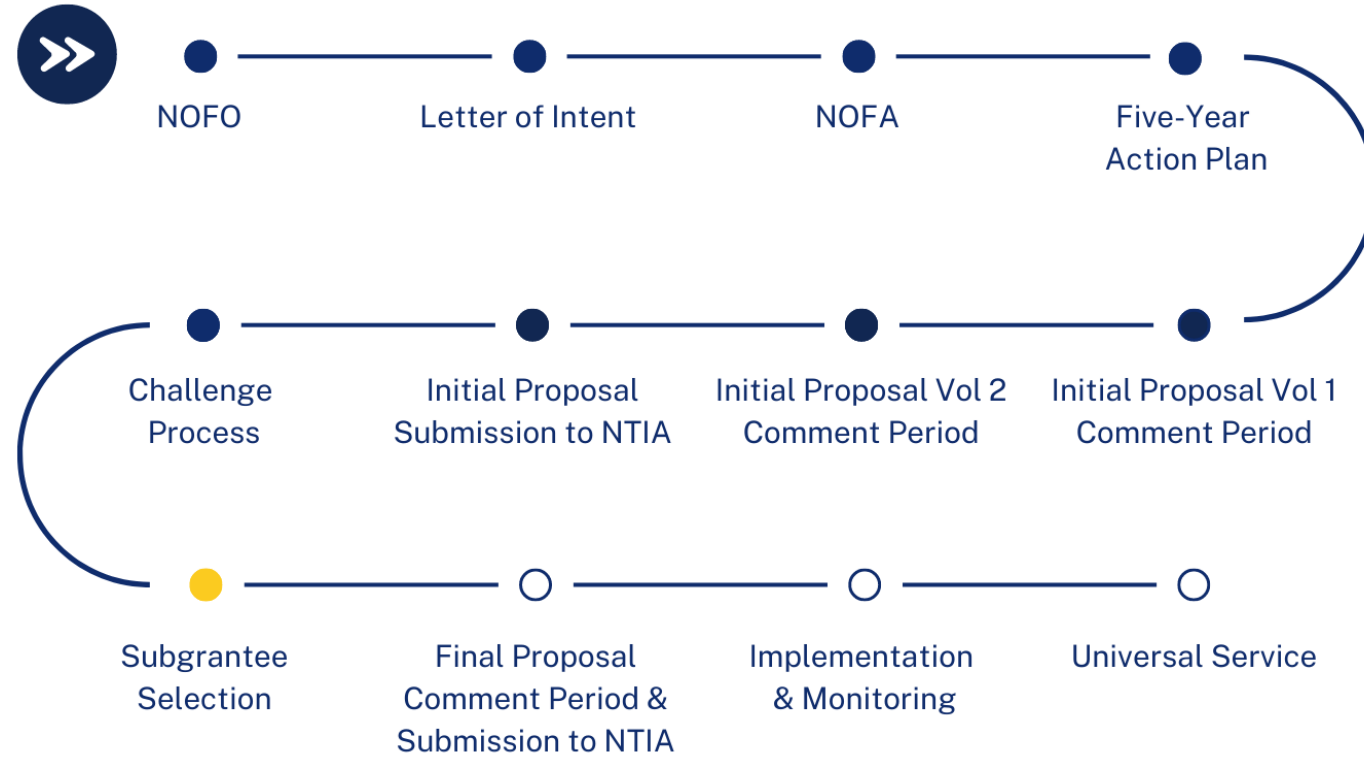
BEAD PROGRAM BACKGROUND

The Broadband Equity, Access, and Deployment (BEAD) Program is designed to expand high-speed internet access by funding planning, infrastructure deployment, and adoption programs across the country.

Connecticut will receive $144 million to improve broadband in the state via the Infrastructure Investment and Jobs Act.
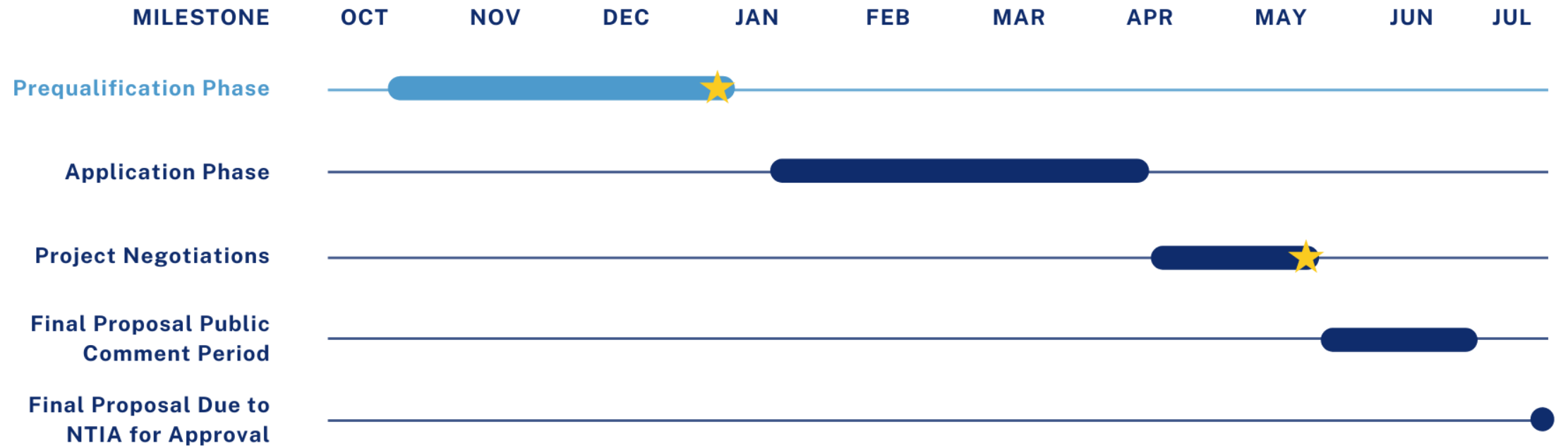
The goal is to connect 100% of unserved and underserved locations in the state with reliable, affordable broadband.

1	2	3
Unserved Locations **(<25 Mbps/3 Mbps)**	**Underserved Locations** **(<100 Mbps/20 Mbps)**	**Community Anchors &** **Digital Equity Programs**

BEAD PROGRAM MILESTONES

NOFO

Letter of Intent

NOFA

Five-Year Action Plan

Challenge Process

Initial Proposal Submission to NTIA

Initial Proposal Vol 2 Comment Period

Initial Proposal Vol 1 Comment Period

Subgrantee Selection

Final Proposal Comment Period & Submission to NTIA

Implementation & Monitoring

Universal Service

PREQUALIFICATION & APPLICATION TIMELINE

MILESTONE	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL

Prequalification Phase — OCT–JAN ★

Application Phase — JAN–APR

Project Negotiations — APR–MAY ★

Final Proposal Public Comment Period — JUN–JUL

Final Proposal Due to NTIA for Approval — JUL

★ Indicates preliminary announcements

PREQUALIFICATION BACKGROUND

WHY ARE WE INCLUDING A PREQUALIFICATION PROCESS?

To give applicants time to prepare their financial and organizational capabilities in order to demonstrate their basic qualifications for BEAD subgrant eligibility.
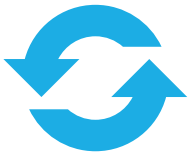
To reduce the burden on applicants who might otherwise need to submit the same information multiple times during the application period if proposing multiple projects.

To foster a fair and transparent grant selection process with ample time for curing.

WHAT DOES BEING PREQUALIFIED MEAN?

DEEP will consider whether your prequalification application is:

1. **Complete:**
   Responses must be thorough and directly aligned with the request.

2. **Sufficient:**
   The application must document compliance and adherence to the required standards and statutes.

3. **Demonstrative of Capabilities:**
   The application must not have any omissions or indications that create concerns about the history or capabilities of potential subgrantees (including their contractors and subcontractors) in meeting the specified standards and statutes.

WHY SHOULD YOU APPLY TO BE PREQUALIFIED?

#1 Reason: You <u>must</u> participate in Prequalification Process to apply for the BEAD Program.

- This is the only prequalification period DEEP expects to hold.

- Becoming prequalified <u>does not</u> obligate you to apply in the application phase.

- Participating in the prequalification period now will save you time on submitting applications later.

IMPORTANT DATES

Milestone	Estimated Date
Prequalification Application Release Date	October 21
Questions for FAQ Deadline	October 30
Office Hour	November 6
FAQ Release	November 8
Prequalification Application Deadline	November 20
Application Reviews & Curing	November 21 – December 11
Announcement of Preliminary Determinations	Mid – Late December

PREQUALIFICATION APPLICATION

MINIMUM ELIGIBILITY CRITERIA

The prequalification application collects documentation to ensure that minimum eligibility criteria, as established by the BEAD NOFO for the subgrantee selection process, are met:

1. **Financial capability:** Certifications and documentation, letter of credit compliance statement, audited financial statements

2. **Organizational capability:** Key management resumes, organizational charts, certification of operational readiness, evidence of prior service in relevant areas, compliance with regulatory filings

3. **Certifications and compliance:** Adherence to federal, state, and local laws, compliance with occupational safety regulations

4. **Federal labor and employment laws**: Adherence to federal labor and employment laws, documentation of labor and employment practices

5. **Risk management:** Cybersecurity and supply chain risk management plans, reevaluations, and updates

6. **Ownership:** Ownership information required by 47 C.F.R. § 1.2112(a)(1)-(7)

WE ASK FOR: **ORGANIZATIONAL INFORMATION**
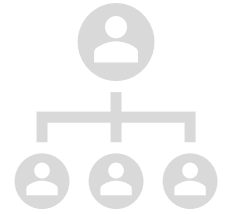
- **Organizational information chart** indicating key personnel, teams, and company structure

- **Resumes** of key personnel, including managerial, technical, financial, and operational positions

- **Ownership disclosure** (consistent with 47 C.F.R. § 1.2112(a)(1)-(7)), including ownership interest of 10% or more

- **Certifications and licenses** held by the business and individual employees, organized by role

- **Legal opinion acknowledgement** indicating your plan to comply in the Scoring Phase by submitting a letter signed by an attorney regarding your qualifications and past compliance with federal and state laws

- **SAM.gov registration** unique entity identifier (UEI)
  - An applicant does not need to complete full registration to receive a UEI
  - UEI must be active

WE ASK FOR: **FINANCIAL INFORMATION**

- **Audited financial statements** from prior fiscal year or equivalent financial information (or a justification as to why such statements may not be available)

  - Audits must be completed by an independent certified public accountant
  - This can take several months to complete

- **A letter of commitment or performance bond acknowledgement** indicating your understanding of the BEAD Program's letter of credit or bond requirements and your plan for complying (see NTIA's guidance for more details BEAD Letter of Credit Waiver | BroadbandUSA (ntia.gov)

  - Letter of credit template: https://www.usac.org/wp-content/uploads/high-cost/documents/fund/RDOF-Sample-Letter-of-Credit-Evergreen.pdf
  - Performance bond examples: https://surety.org/wp-content/uploads/2024/07/NASBP-BEAD-Program_Full-Kit.pdf

WE ASK FOR: **EXPERIENCE**

- **Past performance on broadband projects** (especially those similar in size and scope to the anticipated BEAD project)

- **Other public funding that your organization or its affiliates have applied for or intend to apply for** (including federal and state funding such as ARPA, RDOF, CAF, CARES, Enabling Middle Mile Broadband Infrastructure Grant Program) for broadband deployment projects as well as project details for those public-funded projects including:

  - Project technology

  - Project area

  - Amount of funding requested

  - Amount of match committed

  - Proposed cost of end-user services

OTHER COMPLIANCE REQUIREMENTS

- Awareness of and commitment to comply with **Environmental and National Historical Preservation** (EHP) compliance requirements from the **National Historic Preservation Act** and **National Environmental Policy Act**, including categorical exclusions, and **Build America, Buy America** (BABA) requirements.

- **Compliant supply chain and cybersecurity plans** including NIST Cybersecurity Framework Version 2.0, Executive Order 14028, NISTIR 8276, and NIST 800-161, or certify that the organization will have such.

- Acknowledgement of and plan for **federal and state employment and labor practices and compliance.**

OTHER COMPLIANCE REQUIREMENTS

For new entrants or applicants with less than two years of experience, evidence demonstrating sufficient operational capabilities, including:

- Resumes and a list or chart from partner, contractor, or key personnel describing experience with operations providing broadband services
    - Must include licensing and certification identifiers, years of operating experience, and descriptions of the services provided

- Project descriptions and narratives from contractors, subcontractors, or other partners

- Other operational or financial reports that may have been originally submitted to a financial institution or regulatory agency
    - Must include a certification that the submission is a true and accurate copy of the reports

PREQUALIFICATION HIGHLIGHTS

PREPARING FOR PREQUALIFICATION

✓ Identify authorized organization representative and key application contacts

✓ Compile company name, address, TIN, contact information

✓ Collect financial statements and other documentation

✓ Identify key managerial staff, update resumes, and organizational charts

✓ Verify active registrations with the state and SAM.gov

✓ Identify projects of similar scope and/or size for past performance

✓ Ensure accurate ownership documentation

✓ Review BEAD NOFO, DEEP Initial Proposal Volume II, and other relevant documents

SELECT APPLICABLE LAWS

While DEEP cannot provide an exclusive or exhaustive list of applicable federal or state laws, it urges applicants to review and consider laws such as:

- Connecticut's Public Utilities Regulatory Authority (PURA) rules and regulations, including access to pole attachments and rights-of-way.

- State statutes related to broadband infrastructure deployment such as Conn Gen. Stat §16-233 (municipality access to public utility poles and conduit within the city limits)

- State statutes related to equitable access to broadband such as Conn. Public Act 21-159 (broadband availability mapping requirements and funding program obligations)

- Federal and state procurement laws including Buy American requirements, trade law obligations, foreign ownership disclosures and state contracting rules

- State and local permitting laws, rules, obligations, and authority

- Applicable federal Uniform Guidance regulations (2 C.F.R. Part 200)

- Department of Commerce Standard Terms and Conditions for grant funding

- Federal and state environmental and historic preservation regulations

- Federal and state labor, worker safety, and wage laws, regulations, and executive orders, including the Occupational Safety and Health Act, Americans with Disabilities Act of 1990, the Civil Rights Act of 1964, Contract Work Hours and Safety Standards Act (40 U.S.C. §3702, 3704), and Conn. Gen. Stat. §31-53 (state wage rate obligations as part of the construction, alteration, or repair of public works projects)

KEY TAKEAWAYS

REMEMBER: Potential BEAD applicants <u>must</u> participate in the prequalification process.

- DEEP will not be scoring applicants based on what is submitted in the prequalification application, except for compliance with and commitment to Fair Labor Standards

- Prequalification applicants will be given opportunity to update or replace this information in the application for the scoring phase

- Some items submitted in the prequalification application may be reviewed during the Scoring Phase with the additional context provided by specific project applications

- Prequalification will help save time and resources, especially given the limited 365-day window set by NTIA for submission of the Final Proposal and Subgrantee Selection Process

APPLICATION GUIDANCE & TEMPLATES

Q&A

Contact:
DEEP.BROADBAND@CT.GOV