

# Broadband Equity, Access, and Deployment (BEAD) Program

## Program and Application Guide

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Office of Telecommunications & Broadband  
Bureau of Energy & Technology Policy  
**Connecticut Department of Energy & Environmental Protection**

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# 1. Introduction

## 1.A Purpose of This Guide

This guide serves as a comprehensive resource for potential applicants to the Broadband Equity, Access, and Deployment (BEAD) Program in Connecticut. It provides a roadmap for navigating the program's requirements, ensuring alignment with its goals to expand affordable, high-speed broadband access across unserved and underserved communities. The document includes information on **gating criteria** to determine eligibility, the **scoring criteria** that will be used to evaluate applications, **instructions** for submitting applications through the designated platform, and details on the specific **priorities** that reflect the program's commitment to factors such as cost efficiency, digital equity, technical excellence, affordability, and fair labor practices. By offering transparent and structured instructions, this guide is intended to help applicants develop competitive proposals that address Connecticut's broadband needs.

## 1.B Purpose and Goals of the BEAD Program

The BEAD Program is a federal initiative aimed at closing the digital divide and ensuring every American has access to reliable, high-speed internet. Established by the Infrastructure Investment and Jobs Act (IIJA), the BEAD Program provides funding to states, territories, and Tribal governments to expand broadband access. Connecticut was allocated approximately \$144 million to connect all unserved and underserved locations in the state. The state will award this funding to subgrantees to deploy broadband infrastructure.

The Department of Energy and Environmental Protection (DEEP) is leading the implementation of Connecticut's BEAD Program ("the Program"), focusing on fostering digital equity, promoting economic growth, and enhancing the quality of life for residents. By leveraging innovative partnerships and ensuring cost-effective deployment, the Program seeks to deliver scalable, future-proof broadband solutions that support long-term connectivity for communities across the state.

## 2. Program Overview & Timeline

### 2.A Prioritization of Unserved BSLs, Underserved BSLs, and Eligible Community Anchor Institutions

The BEAD Program prioritizes the deployment of broadband to Unserved Broadband Serviceable Locations (BSL), Underserved BSLs, and Eligible Community Anchor Institutions (CAIs) to ensure equitable access to high-speed internet for the most disadvantaged areas. Unserved BSLs, defined as locations lacking reliable service of at least 25 Megabits per second (Mbps) upload and 3 Mbps download, are the first priority to address critical gaps in connectivity. Once the state has ensured coverage of unserved areas, it must seek to ensure coverage of underserved BSLs, which lack service at speeds of at least 100 Mbps/20 Mbps. If the state is able to ensure service to all unserved and underserved locations, it may connect Eligible Community Anchor Institutions, such as schools, libraries, and healthcare facilities, to enhance community-wide access to essential services. By targeting these categories in this order, the BEAD Program seeks to maximize the impact of its funding and accelerate progress toward universal broadband coverage.

### 2.B Prioritization of Technology Types

As described in DEEP's Five-Year Action Plan and Initial Proposal, DEEP seeks to maximize deployment of end-to-end fiber broadband service to the extent possible. In alignment with NTIA guidance, when evaluating applications, DEEP will first prioritize applications that propose to provision service exclusively via end-to-end fiber ("Priority Broadband Projects"); then those that propose service via other technologies that meet NTIA's minimum requirements for Reliable Broadband Service ("RBS"), including Cable Modem/Hybrid fiber-coaxial technology and terrestrial fixed wireless technology utilizing entirely licensed spectrum or a hybrid of licensed and unlicensed spectrum ("Non-Priority Reliable Broadband Service Projects").

Although NTIA's definition of Reliable Broadband Service includes digital subscriber line ("DSL") technology, in alignment with DEEP's Initial Proposal, DEEP does not consider DSL technology sufficient for service to locations through this Program. Therefore, applicants submitting proposals for Non-Priority Reliable Broadband Projects may not propose to serve locations with DSL technology.

If no project proposing Reliable Broadband Service (Priority or Non-Priority) can be awarded for an area, Alternative Technologies (such as unlicensed fixed wireless and satellite) may be awarded ("Non-Priority Alternative Technology Projects" or "Alternative Technology Projects"). However, Alternative Technology Project must still meet the minimum technical requirements of the BEAD Program, which means end-users will be able to receive at least 100 Mbps/20 Mbps service.

Both Priority and Non-Priority applications will be accepted concurrently during the application process. As described in more detail in the “Evaluation and Scoring” section below, consistent with NTIA requirements, some scoring criteria vary between Priority Broadband Projects and “Other Last-Mile Broadband Deployment Projects” (non-end-to-end fiber). Priority Broadband Projects will be scored according to the rubric for Priority Broadband Projects; Non-Priority applications will be scored according to the rubric for Other Last-Mile Broadband Deployment Projects.

## 2.C Key Milestones and Timeline

### 2.C.i Implementation Phases

DEEP will conduct a multi-step process for selecting subgrantees and making BEAD funding awards:

1. **Prequalification Phase:** DEEP began with prequalification of applicants.
2. **Scoring Phase:** DEEP issues a grant application and will accept and score applications from prequalified applicants for specific projects.
3. **Negotiation Phase:** DEEP will proceed to negotiations with the highest-scoring applicants and make provisional grant awards.

Provisional awards will be included in the Final Proposal DEEP must submit to NTIA and will be finalized upon NTIA’s approval of the Final Proposal.

### 2.C.ii Important Dates

| Date                             | Milestone                        |
|----------------------------------|----------------------------------|
| January 15, 2025                 | Applicant Webinar #1             |
| January 22, 2025                 | Applicant Webinar #2             |
| January 27, 2025                 | Applicant Webinar #3             |
| January 27, 2025                 | Application Portal Opens         |
| February 9, 2025                 | Deadline for Questions           |
| February 14, 2025                | Responses to Questions Published |
| February 25, 2025 at 5:00 PM EST | Application Submission Deadline  |

## 2.D Technical Assistance

### 2.D.i Questions Regarding the Application Process

Questions about the application may be submitted by email to [DEEP.Broadband@ct.gov](mailto:DEEP.Broadband@ct.gov) and must be received no later than 11:59 PM EST on February 9, 2025, to be considered for answer and possible inclusion in a Frequently Asked Questions (FAQ) document. The early submission of questions is encouraged. DEEP will not answer questions when the source is unknown (i.e., nuisance or anonymous questions). Questions deemed unrelated to the application or the subgrantee selection process will not

be answered. DEEP may combine similar questions and give only one answer. Answers to questions will be released on February 14, 2025.

### **2.D.ii Contact Information**

All programmatic questions should be directed to [DEEP.Broadband@ct.gov](mailto:DEEP.Broadband@ct.gov).

## 3. Program Eligibility

### 3.A Eligible Entities

#### 3.A.i Applicant Eligibility and Qualifications

Eligible applicants include entities with the financial, managerial, and technical qualifications to meet the obligations of a BEAD-funded project. Such entities may include cooperatives, nonprofit organizations, public-private partnerships, private companies, public or private utilities, public utility districts, and local governments. Consistent with the framework outlined in Connecticut's Initial Proposal, DEEP held a Prequalification Phase in advance of this application period to approve qualified entities. These entities are listed on DEEP's website: <https://portal.ct.gov/deep/energy/broadband-deployment/bead-program>.

Please note that eligibility criteria act as gating criteria, which are distinct from scoring criteria. Gating criteria determine whether prospective subgrantees meet the standards to be qualified and eligible to compete for subgrants, whereas scoring criteria are used to select between competing applications from prospective subgrantees.

#### 3.A.ii Prequalification Process

DEEP's Prequalification Phase was held from October 21, 2024, to November 22, 2024, and was designed to ensure that prospective subgrantees meet the eligibility criteria for successful project implementation. This phase evaluated whether applicants were financially stable, possessed the necessary expertise, and had the technical and operational capacity to carry out proposed projects in compliance with applicable federal, state, and local laws. It also assessed organizational structures, stakeholders, and funding sources to confirm managerial and financial capacity to fulfill program commitments. The prequalification process helped identify potential risks, enhance project success rates, and avoid common challenges. The evaluation of these prequalification applications was proportional to the size and type of potential projects, ensuring smaller entities were not excluded from participating in projects suited to their capabilities.

### 3.B Eligible and Ineligible Use of Funds

The following capital costs and expenses are generally eligible under the terms of the grant. This is not an exhaustive list. Federal BEAD Program guidelines and 2 CFR 200 Uniform Guidance, as applicable, will be the final arbiter of cost eligibility. All expenses require proper record keeping and documentation and may require asset tracking and be subject to audit. Payments are expected to be made at agreed-upon project milestones that meet specific project requirements of the federal award (i.e., performance and

results) as a part of a fixed amount subaward. The final portion will be released upon DEEP's verification of substantial completion of the project and reimbursed up to actual project costs incurred.

### **3.B.i Eligible Uses of Funds:**

1. Construction, improvement, and/or acquisition of facilities and telecommunications equipment required to provide qualifying broadband service, including infrastructure for backhaul, middle- and last-mile networks, and multi-tenant buildings.
2. Long-term leases (for terms greater than one year) of facilities required to provide qualifying broadband service, including indefeasible right-of-use (IRU) agreements.
3. Engineering design, permitting, and work related to environmental, historical, and cultural reviews.
4. Personnel costs, including salaries and fringe benefits for staff and consultants providing services directly connected to the implementation of the BEAD Program (such as project managers, program directors, and subject matter experts).
5. Network software upgrades, including, but not limited to, cybersecurity solutions.
6. Deployment of internet and Wi-Fi infrastructure within an eligible multi-family residential building.\*
7. Training for cybersecurity professionals who will be working on BEAD-funded networks.\*
8. Workforce development, including Registered Apprenticeships and pre-apprenticeships, and community college and/or vocational training for broadband-related occupations to support deployment, maintenance, and upgrades.\*

\*Note: Although items 6, 7, and 8 above are eligible uses of funds under the BEAD NOFO, DEEP reserves the right to allocate funding in a manner that aligns with Program priorities, and will only authorize reimbursement for awardee expenses related to the purposes referenced in items 6, 7, and 8 on a case-by-case basis, after DEEP has awarded funding for deployment-related activities to serve all Eligible Locations in the state, provided that there is remaining funding available.

### **3.B.ii Ineligible Uses of Funds:**

Ineligible costs include those costs that are unallowable under the applicable federal cost principles. Please note that costs ineligible for the BEAD Program may not be paid for with matching funds committed to an award.

1. Deployment of internet and Wi-Fi infrastructure and service to locations where the Applicant already provides speeds of not less than 100 Mbps for downloads and 20 Mbps for uploads according to Connecticut's BEAD Eligibility Mapping Tool.

## **3.C Eligible Project Areas**

### **3.C.i Town Grant Areas**

DEEP has defined project areas for the Program based on boundaries of the state's 169 towns. Each town and its Eligible Locations constitute a "Town Grant Area" or "Project Area". This approach, as



described in Volume 2 of Connecticut's BEAD Initial Proposal, was designed to enable the efficient review of applications without overlap or need for deconfliction. In addition, the approach was designed to enable participation by applicants of all sizes to support a robust competitive environment given that Connecticut's towns are small relative to municipalities in most states and their size should not pose a barrier to participation by smaller entities.

### **3.C.ii 100% Coverage Proposal Requirement**

All Priority and Non-Priority applicants must submit a proposal to reach 100 percent of Eligible Locations in a Town Grant Area ("100% Coverage Proposal").

DEEP has identified No BEAD Locations (associated with eligible reason codes as defined by the BEAD Final Proposal Guidance [https://www.ntia.gov/sites/default/files/2024-12/bead\\_final\\_proposal\\_guidance\\_v1.2.pdf](https://www.ntia.gov/sites/default/files/2024-12/bead_final_proposal_guidance_v1.2.pdf)) in the data files for each Town Grant Area, so that applicants may be aware of them when applying to serve a Project Area. Indicating these locations notifies applicants of their status and the likelihood these locations will not be served by the BEAD Program. Therefore, applicants should not include any such locations in the development of their 100% Coverage Proposal.

### **3.C.iii Alternative Percentage Proposal Process**

In certain Town Grant Areas, as determined by DEEP, applicants proposing Priority Broadband Projects may have the option of proposing costs for an Alternative Percentage of Eligible Locations in a Town Grant Area ("Alternative Percentage Proposal"), in addition to the 100% Coverage Proposal described above. The Alternative Percentage has been calculated through a modeling process to estimate the percentage of unserved and underserved locations that would create either a risk of excessive costs or reduce the chances of receiving any bids for that Town Grant Area. If proposing an Alternative Percentage Proposal, applicants will be asked to provide a list of locations they propose to remove from the 100% Coverage Proposal. The proportion of locations removed must be equal to or less than the percent allowed for each Town Grant Area, as defined by DEEP. The percentages permitted for each Town Grant Area will be listed with the BEAD application resources on DEEP's website.

### **3.C.iv 80% / 20% Rule**

Under the BEAD Program guidelines, at least 80 percent of locations in a Project Area must be unserved locations or underserved locations. Therefore, applicants are permitted to include additional "served" locations in their Project Area so long as they do not exceed 20% of the total locations. A served location has access to broadband service that meets the minimum speed and performance thresholds defined by the BEAD Program.

While the applicant's primary focus should remain on unserved and underserved locations, allowing a percentage of served locations can make projects more viable, thereby enabling broader participation and ensuring that all areas, especially those most in need, benefit from improved broadband infrastructure.

### 3.C.v Economic Development Locations

Per its scoring criteria (see Section 7), DEEP will award additional points during the application evaluation process to incentivize applicants to include “Economic Development Locations” in their broadband deployment projects. “Economic Development Locations” are locations in Connecticut that are not eligible for funding under the BEAD Program (such as served locations in excess of the 20% limit discussed above), which an Applicant proposes to serve (to a Standard Installation) in the course of buildout *at no additional cost to the State of Connecticut*. Applicants are encouraged to consider any such locations to be passed in the course of building to Eligible Locations in their proposed Project Area.

### 3.C.vi Areas of High Poverty

Per its scoring criteria (see Section 7), DEEP will award additional points during the application evaluation process to incentivize applicants to propose projects with unserved locations found in “Areas of High Poverty”. “Areas of High Poverty” will align with State-designated Distressed Municipalities (current or within ten years subsequent to the date of the determination that such municipality failed to meet such thresholds: [https://portal.ct.gov/decd/content/about\\_decd/research-and-publications/02\\_review\\_publications/distressed-municipalities](https://portal.ct.gov/decd/content/about_decd/research-and-publications/02_review_publications/distressed-municipalities)). Updated annually, the Distressed Municipalities' lists identify the state’s most fiscally and economically distressed municipalities and are used by State agencies to prioritize resources and support tailored to the unique needs of communities facing significant economic hardships. The lists develop statistical indicators measuring the fiscal capacity of each municipality based on tax base, the personal income of residents, and the residents’ need for public services.

### 3.C.vii Tribal Consent

An applicant who proposes to provide service on Tribal lands must obtain a Certification of Consent from the appropriate Tribal office. This Tribal office should be the assigned authority to make broadband-related decisions as designated by the Tribal Government (e.g., Tribal broadband, information technology, or regulatory office). The statement must be provided on Tribal letterhead or by an official email.

In the event that a presumptive awardee cannot provide documentation of support and approval from Tribal authorities, DEEP will use the Negotiation Process to engage with other applicants and seek to meet with Tribal authorities to understand their preferences and ensure Tribal consent is achieved prior to deployment.

## 4. Funding Details

### 4.A Available Funding

The State of Connecticut has been allocated approximately \$144 million through the BEAD Program to expand broadband infrastructure and improve digital connectivity. The funds will be distributed through a competitive grant process, prioritizing projects that deliver robust, future-proof broadband infrastructure while aligning with the state's goals for affordability, resilience, and economic development. This significant investment underscores Connecticut's commitment to bridging the digital divide and enabling all residents to benefit from the opportunities that broadband connectivity provides.

### 4.B Matching Contribution Requirements

Applicants will be required to provide a funding match of not less than 25 percent of project costs, unless the applicant requests, and receives approval for, a match waiver as part of its application. Funds from federal programs generally may not be used as matching funds, however IIJA expressly provides that matching funds for the Program may come from a federal regional commission or authority and from funds that were provided specifically under the Families First Coronavirus Response Act; the Coronavirus Aid, Relief, and Economic Security (CARES) Act; the Consolidated Appropriations Act of 2021; or the American Rescue Plan Act of 2021, to the extent permitted by those laws.

Matching funds may be provided in the form of either cash or in-kind contributions, so long as such contributions are made consistent with the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards set forth at 2 C.F.R. Part 200. In-kind contributions, which may include third-party in-kind contributions, are non-cash donations of property, goods or services, which benefit a federally assisted project, and which may count toward satisfying the non-federal matching requirement of a project's total budgeted costs when such contributions meet certain criteria.

DEEP must maintain thorough documentation to justify the valuation of any in-kind property and services contributed to meet the BEAD Program's matching requirements. Accordingly, applicants will need to provide supporting documentation to substantiate the valuation of in-kind contributions in alignment with the valuation method set forth in 2 C.F.R. §200.306. This documentation must clearly show how the assigned value was determined. Records should include details on the contribution, the valuation method used, and the donation terms to support the amount claimed as matching funds for the project. Additionally, the contribution should be both relevant and necessary for the project. The valuation methodology and supporting documentation should reflect actual market conditions.

## 5. Program Requirements

### 5.A Network Performance

#### 5.A.i Technology

In accordance with the BEAD NOFO and DEEP's Initial Proposal, funded networks shall deliver broadband service that is accessible to a location via: (i) fiber-optic technology, (ii) Cable Modem/Hybrid fiber-coaxial (HFC) technology, or (iii) terrestrial fixed wireless technology utilizing entirely licensed spectrum or using a hybrid of licensed and unlicensed spectrum. DEEP may also consider Alternative Technologies including unlicensed fixed wireless and low-earth orbit satellite if no Reliable Broadband Service option can be identified.

Funded networks relying entirely on fiber-optic technology must be able to scale speeds over time to meet the evolving connectivity needs of households and businesses and to support the deployment of 5G, successor wireless technologies, and other advanced services.

#### 5.A.ii Speed and Latency

Funded networks are required to deliver speeds of not less than 100 Mbps for downloads and 20 Mbps for uploads for broadband serviceable locations; speeds of not less than 1 Gigabit symmetrical for CAIs; and 95 percent of latency measurements during testing windows to fall at or below 100 milliseconds round trip time. Applicants proposing CAI projects must ensure that such connections can be used for business data services. Awardees are prohibited from imposing data usage caps on any BEAD-funded networks or imposing unjust or unreasonable network management practices and are required to provide consumers of BEAD-funded networks with reasonable and non-discriminatory terms and conditions. These standards are critical for supporting modern, fair, and transparent services.

#### 5.A.iii Network Outages

Applicants must have protocols in place to ensure each funded network's outages do not exceed, on average, 48 hours over any 365-day period except in the case of natural disasters or other force majeure occurrence.

#### 5.A.iv Conduit Access

Underground network deployments must include excess conduit capacity and regular conduit access points for interconnection by others. Applicants should propose a plan for the placement and interval of conduit access points in their applications, ensuring enough capacity for future expansion and access.

## 5.B Low-Cost Service Plan Option

### 5.B.i Low-Cost Service Plan Option Requirements

All applicants must propose to offer a Low-Cost Service Plan Option, which awardees will be required to offer for the duration of the federal interest period. The Low-Cost Service Plan Option must meet, at a minimum, the following criteria:

- Will be available to all households that meet the eligibility requirements of the former federal Affordable Connectivity Program, or any successor program.
- Costs \$30 per month or less, exclusive of directly imposed government taxes and fees, but inclusive of all other charges billed to the customer, with application of an annual inflation factor based on the Consumer Price Index for the State of Connecticut.
- Available to households with income equal to or below 200 percent of the federal poverty line.
- Allows the end user to apply the Affordable Connectivity Program and Lifeline program benefit subsidies to the service price and makes a demonstrable effort to inform prospective customers of these programs and the steps necessary to enroll and apply the benefit to the service plan.
- Meets performance requirements as established by the BEAD Program by consistently and reliably providing download speeds of at least 100 Mbps and typical upload speeds of at least 20 Mbps.
- Provides typical latency measurements of no more than 100 milliseconds.
- Is not subject to data caps, surcharges, or usage-based throttling, and is subject only to the same acceptable use policies to which subscribers to all other broadband internet access service plans offered to home subscribers by the participating subgrantee must adhere.
- In the event the applicant later offers a low-cost plan with higher speeds downstream and/or upstream, permits Eligible Subscribers that are subscribed to a low-cost broadband service option to upgrade to the new low-cost offering at little to no cost.

### 5.B.ii Low-Cost Service Plan Option Waiver

Applicants may seek a waiver from DEEP to increase the maximum cost of the Low-Cost Service Plan to \$50, holding all other above-listed requirements of the Low-Cost Service Plan Option constant. The waiver request must clearly demonstrate that offering a \$30 low-cost service option is cost-prohibitive or not reasonably possible. DEEP will consider waiver requests if the proposal meets the following requirements:

- The proposed rate must not exceed \$50.
- The proposed rate should be supported by evidence of the following:
  - Per-subscriber costs in an area indicating that DEEP's target rate (\$30 or less) would be financially unsustainable; and/or
  - The impact on average revenue per user and total project revenue of the target rate (\$30 or less) would be financially unsustainable given actual or projected subscriber adoption and subscription patterns.

DEEP will evaluate waivers on a case-by-case basis and reserves the right to decline an applicant's waiver should it not clearly demonstrate the need for an increase in the service cost from \$30 to \$50. DEEP will not dictate a particular cost or take rate model for such projections and will allow applicants to provide their own models. DEEP will evaluate any such waiver request to ensure the methodology and assumptions are sound.

If a waiver request is granted, the modified cost level shall remain for the lifetime of the asset (as defined by the NTIA).

### 5.C Public Awareness Campaign

As a condition of award, DEEP will require awardees to conduct public awareness campaigns in their Project Area(s) to highlight the value and benefits of broadband and increase the adoption of broadband service by consumers.

Once a network is constructed and service is available, each awardee shall provide public notice, online and through other means, to individuals residing at the locations that have been served through the award and submit the public notice to DEEP. Each applicant must explain in its application how it intends to notify relevant populations of the new or newly upgraded offerings available the Project Area. Awardees' public awareness campaigns must include information about low-cost service plans and any federal subsidies for low-income households such as the Lifeline Program and any successor program(s) of the Affordable Connectivity Program. Awardees must design their awareness campaigns to address the demographic needs of the Project Area (including, for example, languages prominently spoken in the area and the best means of ensuring that the population is likely to encounter the awardee's public notice). DEEP expects campaigns to include a variety of communications media (e.g., online, print, radio) and a strategy for connecting with harder-to-reach populations.

### 5.D Cybersecurity

Applicants will be required to submit a Cybersecurity Plan to DEEP. The plan must reflect the latest version of the National Institute of Standards and Technology (NIST) Framework for Improving Critical Infrastructure Cybersecurity (currently Version 2.0), and the standards and controls set forth in Executive Order 14028. If the awardee makes any substantive changes to the plan, it must submit a new version to DEEP within 30 days.

### 5.E Supply Chain Risk Management

Applicants will be required to submit a Supply Chain Risk Management Plan to DEEP. The plan must be based upon the key practices discussed in the NIST publication NISTIR 8276, Key Practices in Cyber Supply Chain Risk Management: Observations from Industry and related SCRM guidance from NIST, including NIST 800-161, Cybersecurity Supply Chain Risk Management Practices for Systems and Organizations, and must specify the supply chain risk management controls being implemented. If the

awardee makes any substantive changes to the plan, it must submit a new version to DEEP within 30 days.

## 5.F Letter of Credit Requirements and Waiver

BEAD Program rules require a subgrantee to obtain an irrevocable standby letter of credit from a qualified financial institution or a performance bond executed by a surety company listed on the Department of Treasury's list of approved surety companies as part of its demonstration of financial capability to participate in the program and successfully complete a project. Submission of this letter of credit or performance bond will be a condition of a final award.

Pursuant to BEAD Program rules, DEEP has implemented a letter of credit process using the framework adopted by the FCC for its Rural Digital Opportunity Fund (RDOF) Program (47 C.F.R. §54.804(c)) and will follow guidelines issued by NTIA in its BEAD Letter of Credit Waiver (available at <https://broadbandusa.ntia.gov/funding-programs/policies-waivers/BEAD-Letter-of-Credit-Waiver>). Consistent with NTIA's guidelines, applicants may choose to have their letter of credit or performance bond obligation progressively reduced with completion of deployment milestones based on a percent buildout completion schedule supplied by DEEP in Appendix B.

### 5.F.i Letter of Credit

Applicants that elect to provide letters of credit must present a letter of commitment from a qualified financial institution in the Scoring Phase. The letter of commitment must describe the type of financial institution that is making the commitment (i.e., using the categories in 47 C.F.R. §54.804(c)(2) or a qualifying credit union), and must also state that the financial institution stands ready to issue an irrevocable standby letter of credit for the proposed project in the required amount and must specify the expected amount. The financial institution must also state that it has reviewed the model letter of credit and is prepared to comply with all terms and conditions for the letter of credit under this program.

As an additional condition of the final grant award, applicants that elect to provide a letter of credit will be required to submit a bankruptcy opinion letter from legal counsel that states the letter of credit is drafted in such a way that under a Title 11 bankruptcy proceeding the bankruptcy court will not treat the letter of credit or proceeds from the letter of credit as "property" of the awardee's bankruptcy estate under Section 541 of the United States Bankruptcy Code.

### 5.F.ii Performance Bond

Applicants may choose to provide performance bonds equal to 100 percent of the BEAD subaward amount in lieu of a letter of credit. In the Scoring Phase, applicants electing to provide performance bonds must submit a letter from a company holding a certificate of authority as an acceptable surety on federal bonds as identified in the Department of Treasury Circular 570 committing to issue a performance bond to the prospective subgrantee. The letter shall at a minimum provide the dollar amount of the performance bond.

## 6. Application Process

### 6.A How to Apply

Applications to the Program must be submitted through DEEP's BEAD Program application portal, which can be accessed on DEEP's website: <https://portal.ct.gov/deep/energy/broadband-deployment/bead-program>. DEEP recommends that applicants review the portal early in their application process.

Application requirements for this application are separate from, and in addition to, the requirements of the prequalification process. A full list of application questions, and all supplemental application materials, including templates, appendices, and additional reference files, are also available on DEEP's website.

Applicants must use the templates provided by DEEP. If application materials are submitted in alternative formats or modified versions of the provided templates, they will not be reviewed, and the applicant will be asked to resubmit their information using the correct templates.

To streamline the application process and minimize repetitive questions, each applicant is required to complete two types of applications: the Administration and Compliance Application and the Project Details Application.

#### 6.A.i Administration and Compliance Application

This application must be completed only once. It collects general information about the applicant's organization, including administrative details and compliance-related requirements. By consolidating this information into a single application, it reduces the need for applicants to repeatedly provide the same details for each project proposed.

When prompted to submit an amount for "Award Requested" in the Administration and Compliance Application under Project Information, applicants must enter some amount above \$0 to proceed in the system, but this amount will not be tied their actual funding request which will instead be submitted with the Project Details Application described below.

#### 6.A.ii Project Details Application

A separate Project Details Application must be completed for each Town Grant Area where a project is proposed. This ensures that each project is thoroughly reviewed while avoiding duplication of broader organizational details.

The information required will vary based on the proposed technology type for the Town Grant Area and whether the project will serve CAIs. Applicants will select from the following Project Details application types in the application portal:



- **Priority Project Application:** A project that proposes service via end-to-end fiber-optic facilities to each end-user premises.
- **Non-Priority Project Application:** A project that proposes partially or wholly non-fiber technology, including Alternative Technologies.
- **Community Anchor Institution Application:** A project that proposes to serve CAIs, regardless of technology type.

## 6.B Application Materials and Resources

### 6.B.i Application File Naming Convention

All documents and materials uploaded as part of the application should include at least the following information in the file name in a consistent manner:

1. "CTBEAD"
2. [Applicant name]
3. [Question number/letter]
4. [TGA name] (if applying for more than one)
5. "CAI" (if submitting for a CAI application)
6. [Template name] (if applicable)
7. [1 of x] if submitting multiple documents for the same response

**Example #1:** CTBEAD\_BroadbandLLC\_2Bi\_Hartford

**Example #2:** CTBEAD\_BroadbandLLC\_5E\_Putnam\_CAI\_1of2

### 6.B.ii Required Application Templates

#### Proposed Project Area Locations Templates

- Alternative Percentage Proposal: Removed Locations List Template (*Priority Broadband Projects only*)
- Served Locations Template
- CAI Project Locations Template

#### Required Priority and Non-Priority Application Templates

- Project Timeline Template
- Project Costs Template
- Alternative Percentage Proposal Project Costs Template (*Priority Broadband Projects only*)
- Proforma Template
- Professional Engineer Certification Template

#### Technology-Specific Templates

- Fixed Wireless Design Project Template

- Satellite Design Submission Template

### Samples and Other Resources

- Model Letter of Credit
- Logical Network Diagram Sample
- Project Costs Template Sample

### 6.B.iii CT BEAD Eligibility Mapping Tool

DEEP will provide a BEAD Eligibility Mapping Tool to assist prequalified applicants upon request. The BEAD Eligibility Mapping Tool categorizes BSLs and CAIs in the state as unserved, underserved, or served based on the results of Connecticut’s BEAD Challenge Process. Using the map, applicants can explore eligible locations within Town Grant Areas for project planning purposes. Applicants may also request the associated data files from DEEP.

## 6.C Navigating the Application Portal

### 6.C.ii Assigning Users

There are two user roles within the application portal:

- An **Administrator** can initiate, modify, and submit an application. A user with an Administrator role must be the Authorized Organizational Representative (AOR)— the person who is legally able to make financial decisions, sign contracts on the applicant’s behalf, and submit the application.
- An **Editor** can modify or collaborate on an application but cannot submit. An Editor can be any user who is authorized to edit the application.

### 6.C.iii Starting an Application

Applications may be started directly from the opportunity link after registering.

1. Use the opportunity link to access steps 1 and 2 in the application process:
  - a. Administration and Compliance application
  - b. Priority Application, Non-Priority Application, and/or Community Anchor Institution Application
2. On the opportunity details page, click **Apply**. Once the application has been started, applicants may save their progress and return to continue the application from the saved version.

### 6.C.iv Completing and Saving Application Sections

Generally, the following options will be available at the bottom of each section:

- **Save:** Save progress and remain on the current page.
- **Mark as Complete:** Indicate the form has been completed.
- **Save & Continue:** Save progress on the page and move on to the next section or form.

The Navigation toolbar at the top center of the application window provides quick overview of progress and easy access to all sections of the application. Once a section is marked as **Complete** (at the bottom of each application section), a checkmark will appear on the section header. Forms do not need to be completed in order, but each form must be marked as **Complete** prior to submission.

### 6.C.v Submitting a Completed Application

Once all sections have been completed with a checkmark displayed in the navigation toolbar, a user with the Administrator role can click the **Submit** button. Once submitted, applications cannot be modified.

For technical issues with the portal itself, please contact: [support@amplifund.Zendesk.com](mailto:support@amplifund.Zendesk.com)

## 6.D Confidential Information and FOIA

Freedom of Information, Conn. Gen. Stat. § 1-210: The Freedom of Information Act (FOIA) requires the disclosure of documents in the possession of the State upon request of any citizen, unless the content of the document falls within certain categories of exemption, as defined by Conn. Gen. Stat. § 1-210(b). If the State receives a FOIA request from an individual or entity for BEAD application materials, DEEP will provide the applicant a copy if its application in a Portable Document Format, and the applicant shall identify the sections of the application that the applicant considers confidential by redacting said sections. For each section, the applicant must provide an explanation and rationale sufficient to justify an exemption of the information under FOIA.

The State has no obligation to initiate, prosecute, or defend any legal proceeding or to seek a protective order or other similar relief to prevent disclosure of any information pursuant to a FOIA request. The applicant has the burden of establishing the availability of any FOIA exemption in any proceeding where it is an issue. While an applicant may claim an exemption to the State's FOIA, the final administrative authority to release or exempt any or all material so identified rests with the State. In no event shall the State or any of its employees have any liability for disclosure of documents or information in the possession of the State and which the State or its employees believe(s) to be required pursuant to the FOIA or other requirements of law.

## 7. Evaluation and Selection

### 7.A Scoring

The Scoring Phase selection process is consistent with NTIA requirements for the primary and secondary scoring criteria among “Priority Broadband Projects” (end-to-end fiber) and “Other Last-Mile Broadband Deployment Projects” (non-end-to-end fiber). Each application will be reviewed and scored per proposed Project Area. Each primary criterion aligns with the BEAD Program requirements and each secondary criterion aligns with the BEAD NOFO principles. DEEP’s scoring rubric is consistent with NTIA’s requirement that the three primary criteria together must account for 75 percent of scoring.

**Table 1: Scoring Criteria Summary for Priority Broadband Projects (End-to-End Fiber)**

| Primary Criteria (Mandatory under NTIA rules) | Points Available |
|---|------------------|
| Minimal BEAD Program Outlay                   | 40               |
| Lowest Price for Gigabit Service              | 15               |
| Fair Labor Practices                          | 20               |
| <b>Primary Criteria Subtotal</b>              | <b>75</b>        |
| Secondary Criteria                            | Points Available |
| Speed to Deployment                           | 1                |
| Economic Development Impact                   | 14               |
| Area of High Poverty                          | 10               |
| <b>Secondary Criteria Subtotal</b>            | <b>25</b>        |
| <b>Total Points Available</b>                 | <b>100</b>       |

**Table 2: Scoring Criteria Summary for Other Last-Mile Broadband Deployment Projects (Non-End-to-End Fiber)**

| Primary Criteria (Mandatory under NTIA rules)     | Points Available |
|---|------------------|
| Minimal BEAD Program Outlay                       | 40               |
| Lowest Price for 100/20 Mbps Service              | 15               |
| Fair Labor Practices                              | 20               |
| <b>Primary Criteria Subtotal</b>                  | <b>75</b>        |
| Secondary Criteria                                | Points Available |
| Speed to Deployment                               | 1                |
| Speed of Network and Other Technical Capabilities | 14               |
| Economic Development Impact                       | 10               |
| <b>Secondary Criteria Subtotal</b>                | <b>25</b>        |
| <b>Total Points Available</b>                     | <b>100</b>       |

## 7.A.i Primary Criteria Explained

### **Minimal BEAD Program Outlay (up to 40 points)**

**Objective:** Ensure cost efficiency in grant utilization and incentivize applicants to commit matching funds above federal requirements.

- **Benchmark Score (up to 30 points):**

DEEP will use its benchmark pricing analysis to assess proposals. Scoring will be based on the comparison of the applicant's requested grant amount to the benchmark price.

- Applications that exceed the benchmark by 100%+: **0 points.**
- Applications equal to the benchmark: **15 points.**
- Applications for 20% or less of the benchmark: **30 points.**
- Applications between 20% and 100% of the benchmark: **15 points +/- the proportion above or below the benchmark.**

For example:

- 50% below benchmark:  $15 + (15 \times 0.5) = \mathbf{22.5 \text{ points.}}$
- 10% below benchmark:  $15 + (15 \times 0.1) = \mathbf{16.5 \text{ points.}}$
- 50% above benchmark:  $15 - (15 \times 0.5) = \mathbf{7.5 \text{ points.}}$
- 10% above benchmark:  $15 - (15 \times 0.1) = \mathbf{13.5 \text{ points.}}$

- **Match Offer (up to 10 points):**

Points will be awarded for matching fund commitments exceeding NTIA's minimum requirement of 25% as follows:

- 50% match: **10 points.**
- 45% match: **8 points.**
- 40% match: **6 points.**
- 35% match: **4 points.**
- 30% match: **2 points.**
- 25% match: **0 points.**

### **Lowest Price for Gigabit Service (up to 15 points)**

**Objective:** Promote affordable, equitable access to broadband services in Connecticut.

- **Priority Broadband Projects:**

- Commitment to offer 1 Gbps/1 Gbps service at rates consistent with existing markets in Connecticut: **15 points.**
  - Commitment must include that it:
    - Is for the entire lifetime of the asset (or at least 10 years)
    - Is inclusive of all fees
    - Excludes all rate increases greater than CPI
    - Will be available with no restrictions
- Forward-looking commitment to offer consistent 1 Gbps/1 Gbps rates and the terms listed above: **10 points.**

- No clear affordability commitment: **0 points**.
- **Other Last-Mile Broadband Deployment Projects:**
  - Clear and unambiguous commitment to offer 100 Mbps/20 Mbps service at rates that will not exceed the cost of the same service in any other location in Connecticut or surrounding states in which the applicant offers service: **Full points (15)**.
  - Unclear, ambiguous, or compromised commitment: **0 points**.

**Fair Labor Practices (up to 20 points)**

**Objective:** Ensure compliance with labor laws and support fair employment practices.

- **History of Compliance:** Up to **10 points** for demonstrated adherence to federal labor laws.
- **Commitment to Future Compliance:** Up to **10 points** for specific, actionable commitments to labor standards.
- **Penalties:** Up to **5 points** may be deducted for documented labor violations in the past 5 years.
- **New entrants** without a lengthy record of labor and employment law compliance will receive points in this category based on specific, concrete commitments to strong labor and employment standards and protections going forward.

**7.A.ii Secondary Criteria Explained**

**Speed to Deployment (up to 1 point)**

- Applications proposing network deployment within three years of grant award execution (instead of four): **1 point**.

**Speed of Network and Technical Capabilities (up to 14 points) for Other Last-Mile Broadband Deployment Projects only**

**Objective:** Evaluate network reliability, scalability, and cost-effective upgrades.

- **Speed and Capacity (up to 6 points):** Demonstrate that the proposed project can reliably deliver speeds over 100 Mbps/20 Mbps to all unserved and underserved locations in the proposed service area according to the table below. Applications must detail the selection of technology and particular hardware configurations in both backbone and last-mile segments, including any assumptions and/or calculations around capacity oversubscription, limitations imposed by terrain, and geographic constraints, to definitively demonstrate the connection speed and network capacity commitments can be met.

| Download Speed in Mbps | Points | Upload Speed in Mbps | Points |
|------------------------|--------|----------------------|--------|
| 100                    | 0      | 20                   | 0      |
| 200                    | 1      | 100                  | 1      |
| 300                    | 2      | 200                  | 2      |
| 400+                   | 3      | 300+                 | 3      |

- **Scalability (5 points):** Show capability for higher speeds and detailed plans for scalability with minimal cost. Demonstrate that the proposed infrastructure will be capable of delivering higher speeds in the future, including that the infrastructure will be scalable with respect to capacity to support higher speeds to 80 percent of currently unserved locations in the proposed service area. Application must detail the specific approach to scalability both in backbone and last-mile segments of the network, such as increased wireless base station sectorization, hardware upgrades, addition of towers, etc., to include projected capital costs per location associated with upgrades necessary to deliver increased service level thresholds of the applicant's choosing (i.e., 100 Mbps/100 Mbps, 500 Mbps/100 Mbps, 1000 Mbps/1000 Mbps). Applications that do not make this demonstration will be awarded zero points for Scalability.
- **Cost-Effective Future Upgrades (up to 3 points):** Demonstrate a cost-effective projected technical upgrade path, including a capital investment timeline and costs for equipment refresh and replacement cycles.

**Area of High Poverty (up to 10 points) for Priority Broadband Projects only**

**Objective:** Incentivize deployment of the preferred infrastructure in areas where lower-income households are located.

- Applications proposing fiber-to-the-premises in areas of high poverty will receive up to **10 points**, aligning with digital equity goals.

**Economic Development Impact: (Priority Broadband Projects: Up to 14 points; Other Last-Mile Projects: Up to 10 points.)**

**Objective:** Ensure communities are served through future-proof broadband infrastructure and benefit from a competitive economy.

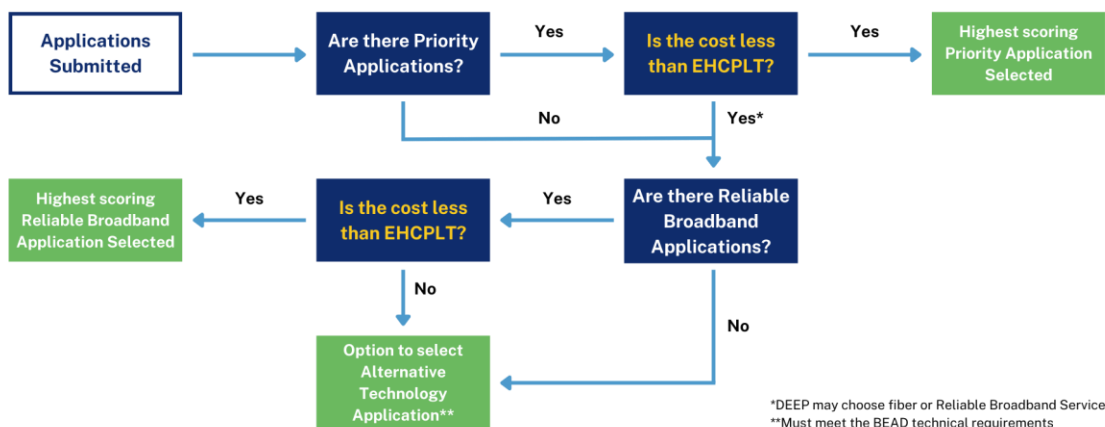
- Demonstrate that the proposed project will, at no extra cost to the State of Connecticut, provide broadband service to additional locations that are not eligible locations for purposes of the BEAD Program (referred to as "Economic Development Locations"). Points will be proportional to the number of additional locations served beyond BEAD-eligible locations at no extra cost.

## 7.B Prioritization of Applications

DEEP will review all applications upon receipt and determine if there are locations for which a highly disproportionate amount of funding would be necessary to deploy fiber to the premises. If so, DEEP may determine that it will need to set an Extremely High Cost Per Location (EHCPLT) to select a Non-Priority Reliable Broadband Service Project (e.g., hybrid fiber-coax, licensed fixed wireless) or Non-Priority Alternative Technology Project (e.g., LEO satellite).

DEEP will preliminarily assign Town Grant Areas to the highest-scoring Priority Broadband Project application if the costs, on average or for a given location, do not exceed the EHCPLT (or budget). If the cost of the highest-scoring application for 100% fiber coverage exceeds the EHCPLT (or budget), DEEP may give applicants the opportunity to reduce their proposed cost, in order of highest-scoring applications for each Town Grant Area. If no applications can be reduced to below the EHCPLT (or budget), DEEP will consider Alternative Percentage Proposals from applicants, in order of score. DEEP may request an Alternative Percentage Proposal below the EHCPLT if the Applicant did not provide one. DEEP will repeat the process for each Town Grant Area in which the highest scoring Priority Broadband Project application exceeds the EHCPLT and repeat the process until all Town Grant Areas have a fiber award where feasible, either at 100% or an Alternative Percentage, within the funding available.

If there are Town Grant Areas for which no applicant will agree to deploy fiber below the EHCPLT, DEEP will use the same process for applications that propose a Non-Priority Reliable Broadband Service Project that is not end-to-end fiber (for example, hybrid fiber-coax or licensed fixed wireless). If it is not possible to assign the remaining Town Grant Areas to Reliable Broadband Service within the EHCPLT, DEEP will consider applications for technologies that do not meet the requirements for Reliable Broadband Service (but which satisfy all technical requirements) for those Town Grant Areas.





## 7.C Negotiations

DEEP reserves the right to enter into negotiations with an applicant to modify submitted grant proposals, or to work with applicants to address deficiencies in applications. DEEP further reserves the right to negotiate a grant agreement with one or more applicants for such services in order to achieve Program objectives.

### 7.C.i Negotiation of Project Area Boundaries

First, DEEP may negotiate proposal area boundaries. In the event that there exist defined Town Grant Areas that do not receive any application at all, DEEP will post these on its website for transparency purposes and to gauge additional interest in such project areas by prequalified entities. DEEP will negotiate with one or more applicants to determine whether and under what circumstances they would be willing to serve those Town Grant Areas. DEEP may negotiate with one or more entities at a time in order to maximize the compressed timeline and secure the best possible deal for taxpayer funds, enabling the BEAD funds to serve as many unserved locations as possible. Generally, DEEP will negotiate first with the higher-scoring applicants for adjacent or nearby Town Grant Areas.

### 7.C.ii Negotiation of Project Pricing

Second, and likely concurrently, DEEP may negotiate pricing, both with respect to Town Grant Areas that received no bids and to which DEEP would like to attract other applicants and with respect to Town Grant Areas that received bids for locations that are impracticable to reach with fiber and/or exceed the Extremely High Cost Per Location Threshold. DEEP reserves flexibility to negotiate with one or more entities regarding potential pricing, seeking to maximize the reach and value of the BEAD funds to bring fiber to unserved and underserved locations throughout Connecticut. Among the range of circumstances in which DEEP may wish to negotiate pricing are the following:

- A Town Grant Area does not receive any applications and DEEP negotiates for pricing to serve it
- More than one applicant provides a proposal for a given Town Grant Area and DEEP negotiates with all to secure best and final offers that deliver the best pricing prior to establishing final scoring
- A grant applicant proposes to serve a number of different Town Grant Areas and DEEP negotiates lower pricing with the applicant based on the potential award of multiple Town Grant Areas
- Locations in a grant area are demonstrated to be impracticable to reach with fiber and an alternative technology is negotiated

### 7.C.iii Contract Negotiation

In alignment with the NTIA priority to accelerate award negotiations in order to serve unserved and underserved locations more quickly, DEEP will post a sample contract during the application period to help subgrantees understand their contractual obligations. In addition to Project Area negotiations with applicants, DEEP may elect to enter contract negotiations with provisional awardees prior to approval of

Connecticut's Final Proposal. Any such negotiations are contingent upon the required state and federal approvals.

### 7.D Announcement of Awards

Once DEEP and applicants have concluded successful negotiations, DEEP will announce provisional awards under the agreed upon terms. These pending awards will be included in DEEP's Final Proposal that will be submitted to NTIA following a 14-day public comment period, as required by federal rules. Upon NTIA approval of the Final Proposal, DEEP will finalize the provisional awards through contract negotiation and execution with the applicants.

## 8. Compliance & Reporting

### 8.A Compliance with State & Federal Regulations

#### 8.A.i Timeline for Project Completion

Awardees must deploy the planned broadband network and begin providing services to each customer that desires broadband services within the Project Area not later than four (4) years after the date on which the awardee receives the grant from DEEP.

#### 8.A.ii Environmental and Historic Preservation (EHP)

The BEAD Program requires all funded projects to comply with applicable **Environmental and Historic Preservation (EHP) laws** to ensure responsible and sustainable infrastructure deployment. This includes adherence to the **National Environmental Policy Act (NEPA)**, the **National Historic Preservation Act (NHPA)**, and other federal, state, and local regulations aimed at protecting natural resources and historic landmarks. Applicants must demonstrate that their proposed projects have undergone thorough environmental and historic preservation reviews and have secured the necessary permits and clearances. Applicants must also certify that they have no history of failure to comply with environmental and historic preservation requirements, to the extent applicable. Any applicant that cannot certify a track record of full compliance will be required to provide detailed narrative and documentation regarding its histories of challenges or noncompliance. This process ensures that broadband expansion efforts align with broader environmental and cultural preservation goals, minimizing any potential adverse impacts while promoting sustainable development.

#### 8.A.iii Labor Standards

Projects must comply with all applicable federal labor laws and regulations, and with all requirements for State and local laws and ordinances to the extent that such requirements do not conflict with federal laws.

Among other requirements contained in 2 C.F.R. 200, Appendix II, all contracts made by an awardee in excess of one hundred thousand dollars (\$100,000) that involve employment of mechanics or laborers must include a provision for compliance with certain provisions of the Contract Work Hours and Safety Standards Act, 40 U.S.C. 3702 and 3704, as supplemented by Department of Labor regulations (29 C.F.R. Part 5).

To assist with ensuring a binding commitment to strong labor standards and protections for the project workforce, each contract for the construction, remodeling, refinishing, refurbishing, rehabilitation, alteration or repair of broadband infrastructure, and each subcontract thereunder, shall contain the following provision: "The wages paid on an hourly basis to any person performing the work of any mechanic, laborer or worker on the work herein contracted to be done and the amount of payment or contribution paid or payable on behalf of each such person to any employee welfare fund, as defined in

subsection (i) of Conn. Gen. Stat. § 31-53, shall be at a rate equal to the rate customary or prevailing for the same work in the same trade or occupation in the town in which such project is being constructed. Any contractor who is not obligated by agreement to make payment or contribution on behalf of such persons to any such employee welfare fund shall pay to each mechanic, laborer or worker as part of such person's wages the amount of payment or contribution for such person's classification on each pay day.”

Applicants that need assistance with determining the appropriate classification of labor or the appropriate prevailing rate of wages for the project should contact the Wage and Workplace Standards Division at the Connecticut Department of Labor.

### 8.A.iv Procurement and Contracting Rules (BABA)

The BEAD Program mandates compliance with **Build America, Buy America (BABA)** provisions to support domestic manufacturing and job creation. These requirements, established under the Infrastructure Investment and Jobs Act (IIJA), ensure that federally funded infrastructure projects prioritize the use of American-made materials and products. Applicants must certify that their projects will utilize construction materials, equipment, and components manufactured in the United States, unless the component is included in the limited waiver issued by NTIA for parts of the BEAD Program (available at <https://www.commerce.gov/sites/default/files/2024-02/BABA%20Waiver%20Signed.pdf>). Applicants must also certify that they have no history of failure to comply with BABA, to the extent applicable. Any applicant that cannot certify a track record of full compliance will be required to provide detailed narrative and documentation regarding its histories of challenges or noncompliance. By adhering to BABA requirements, the BEAD Program not only enhances the nation’s broadband infrastructure but also contributes to economic growth and resilience by supporting U.S.-based industries and workers.

## 8.B Reporting Requirements

DEEP’s monitoring and reporting standards are intended to ensure compliance with federal and state guidelines and the BEAD Program's objectives. These requirements focus on accountability, transparency, and effectiveness in utilizing allocated funds.

The BEAD NOFO and NTIA guidance (see, [https://broadbandusa.ntia.gov/sites/default/files/2024-12/BEAD\\_Anticipated\\_SAR\\_Reporting\\_Requirements\\_Guidance.pdf](https://broadbandusa.ntia.gov/sites/default/files/2024-12/BEAD_Anticipated_SAR_Reporting_Requirements_Guidance.pdf) ) establish minimum reporting requirements for awardees. DEEP will require reporting that adheres to these rules and includes the following, at a minimum:

At a minimum, reporting requirements will include the following:

- Awardees must report quarterly to DEEP to ensure that sufficient progress is being made towards construction and/or other milestones identified in the provisions of their grant agreement.
- Awardees must report on how the project is ensuring a high-quality and safe work environment, including any recruitment from diverse populations, labor area surplus firms, and

Apprenticeship programs; training offered to workers; labor violations; workforce and safety practices; and any other metrics needed to ensure high-quality jobs and careers are fostered by the BEAD Program.

- Awardees must report on the site visits they have conducted to ensure labor standards and protections are adhered to. These reports must include any Minority Business Enterprises (MBE), Women Business Enterprises (WBE), and labor area surplus firms that the awardee has contracted with; a description of the efforts that have been taken to solicit bids from these businesses and to reach out to communities that reach these businesses; and to structure bids in a divisible way so that smaller firms can bid on portions of the work. These reports must include all components outlined in the BEAD NOFO (p. 90–92).
- Awardees will be required to submit annual audited financial statements prepared by an independent certified public accountant to DEEP within the earlier of 30 days of the awardee receiving their audited financial statements or nine (9) months after the end of the audit period during the project. Annual reporting must include the pricing tiers of service the awardee offers so that DEEP can ensure broadband connections remain affordable for middle-class families throughout Connecticut.
- Awardees will be required to submit as-built network designs upon the completion of construction. Awardees will be required to report if they fail to meet interim build-out milestones within ten (10) business days of missing the applicable milestone deadline.

Reporting requirements are subject to modification based on current and future federal guidance.

## 9. Appendices

- A. Glossary of Terms
- B. Schedule of Progressive Reduction
- C. Mandatory Provisions
- D. Log of Document Changes

### 9.A Glossary of Terms

**Alternative Percentage Process:** Involves development of the percentage of unserved and underserved locations within a Town Grant Area to which applicants must commit to deploy fiber. In some Town Grant Areas, there may be individual locations that DEEP's engineering and economic modeling suggests will be so costly to build with fiber infrastructure that including those locations as required deployment targets may serve to make those areas non-viable for bids at a reasonable cost or may serve to reduce or eliminate the chance of any fiber bids being received for that Town Grant Area.

**Alternative Technology:** Alternative Technologies are defined by NTIA as “any broadband access technology that terminates at the end user’s location or premises and does not qualify as Reliable Broadband Service, but meets the BEAD Program’s minimum technical requirements of speeds of not less than 100 Mbps for downloads and 20 Mbps for uploads and latency less than or equal to 100 milliseconds. This definition may include, but is not limited to, unlicensed fixed wireless (ULFW) and low Earth orbit (LEO) satellite service.” (See, [https://www.ntia.gov/sites/default/files/publications/ntia\\_bead\\_alternative\\_broadband\\_technology\\_policy\\_notice.pdf](https://www.ntia.gov/sites/default/files/publications/ntia_bead_alternative_broadband_technology_policy_notice.pdf))

**Area(s) of High Poverty:** Municipalities included in State-designated list of Distressed Municipalities (current or within ten years subsequent to the date of the determination that such municipality failed to meet such thresholds: [https://portal.ct.gov/decd/content/about\\_decd/research-and-publications/02\\_review\\_publications/distressed-municipalities](https://portal.ct.gov/decd/content/about_decd/research-and-publications/02_review_publications/distressed-municipalities)).

**Broadband Serviceable Location (BSL):** A business or residential location at which mass-market fixed broadband internet access service is, or can be, installed.

**Community Anchor Institution (CAI):** An entity such as a school, library, health clinic, health center, hospital or other medical provider, public safety entity, institution of higher education, public housing organization, or community support organization that facilitates greater use of broadband service by vulnerable populations, including, but not limited to, low-income individuals, unemployed individuals, children, the incarcerated, and aged individuals. *Please see Volume 1 of Connecticut’s Initial Proposal for a list of Eligible CAI types, and DEEP’s website for the list of Eligible CAI organizations post-challenge process as approved by the NTIA.*

**Consumer Price Index (CPI):** Computed and published by the U.S. Bureau of Labor Statistics, the CPI is a measure of the average change in prices over time in a fixed market basket of goods and services. It is

based on prices of food, clothing, shelter, fuels, transportation fares, charges for doctors' and dentists' services, drugs and other goods and services that people buy for their day-to-day living.

**Non-Priority Reliable Broadband Service Project:** Project applications that propose a Reliable Broadband Service technology solution that does not include a fully fiber-solution, which could include HFC, licensed fixed wireless, or a mix of these.

**Priority Broadband Project:** Project applications that will provide service via end-to-end fiber-optic facilities to each end-user premise; these applications will be evaluated first for every Project Area.

**Qualified Financial Institution:** One that meets the program rules for the FCC's RDOF Program (47 C.F.R. §54.804(c)(2)) or a credit union that is (a) insured by the National Credit Union Administration; and (b) has a credit union safety rating issued by Weiss of B- or better.

**Reliable Broadband Service:** In accordance with the BEAD NOFO, this term generally refers to broadband service that the Broadband DATA Maps show is accessible to a location via: (i) fiber-optic technology; (ii) Cable Modem/ Hybrid fiber-coaxial technology; (iii) digital subscriber line (DSL) technology; or (iv) terrestrial fixed wireless technology utilizing entirely licensed spectrum or using a hybrid of licensed and unlicensed spectrum. In alignment with Connecticut's Initial Proposal, DEEP has determined that this definition excludes DSL technology.

**Served Location:** A served location has access, or could have access provisioned via a standard installation, to broadband service that meets the minimum speed and performance thresholds defined by the BEAD Program of not less than 100 Mbps downstream and 20 Mbps upstream and latency less than or equal to 100 milliseconds.

**Standard Installation:** A standard installation is defined in the Broadband DATA Act as "[t]he initiation by a provider of fixed broadband internet access service [within 10 business days of a request] in an area in which the provider has not previously offered that service, with no charges or delays attributable to the extension of the network provider."

**Underserved Location:** BSLs that lack access to Reliable Broadband Service with a speed of not less than 100 Mbps downstream and 20 Mbps upstream and latency less than or equal to 100 milliseconds.

**Unserviced Location:** BSLs that lack access to Reliable Broadband Service at speeds of at least 25 Mbps downstream and 3 Mbps upstream and latency levels less than or equal to 100 milliseconds.

## 9.B Schedule of Progressive Reduction

The allowable reissue of letters of credit or performance bonds will be as follows:

- a. Upon demonstrating to the satisfaction of DEEP that it has completed the buildout of 40% of locations to be served by the project:

- For letters of credit, a subgrantee may obtain a new letter of credit or renew its existing letter of credit so that it is valued at no less than 20 percent of the award amount.
  - For performance bonds, a subgrantee may obtain a new performance bond or renew its existing performance bond so that it is valued at no less than 75 percent of the award amount.
- b. Upon demonstrating to the satisfaction of DEEP that it has completed the buildout of 60 percent of locations to be served by the project:
- For letters of credit, a subgrantee may obtain a new letter of credit or renew its existing letter of credit so that it is valued at no less than 15 percent of the award amount.
  - For performance bonds, a subgrantee may obtain a new performance bond or renew its existing performance bond so that it is valued at no less than 50 percent of the award amount.
- c. Upon demonstrating to the satisfaction of DEEP that it has completed the buildout of 80% of locations to be served by the project:
- For letters of credit, a subgrantee may obtain a new letter of credit or renew its existing letter of credit so that it is valued at no less than 10 percent of the award amount.
  - For performance bonds, a subgrantee may obtain a new performance bond or renew its existing performance bond so that it is valued at no less than 25 percent of the award amount.
- d. Upon demonstrating to the satisfaction of DEEP that it has completed the buildout of 100 percent of locations to be served by the project, a subgrantee may terminate its letter of credit or performance bond under the terms set forth therein.

### 9.C Mandatory Provisions

1. Standard Contract Provisions: Awardees will be required to execute a standard grant agreement with DEEP in a form that is consistent with the agreement linked on DEEP's website: <https://portal.ct.gov/deep/energy/broadband-deployment/bead-program>.
2. Assurances: By submitting a proposal in response to this request for Applications, an Applicant implicitly gives the following assurances:
  - a. Collusion. The Applicant represents and warrants that the Applicant participate in any part of the Application development process and had no knowledge of the specific contents of the Application prior to its issuance. The Applicant warrants that no agent, representative, or employee of the State participated directly in the preparation of the Application and also represents and warrants that the submitted application is in all respects fair and is made without collusion or fraud.
  - b. State Officials and Employees. The Applicant certifies that no elected or appointed official or employee of the State has or will benefit financially or materially from any contract resulting from this Application. The Agency may terminate a resulting contract



if it is determined that gratuities of any kind were either offered or received by any of the aforementioned officials or employees from the Applicant or its agents or employees.

- c. **Competitors.** The Applicant assures that the submitted proposal is not made in connection with any competing organization or competitor submitting a separate proposal in response to this request for Applications. No attempt has been made, or will be made, by the Applicant or any other organization or competitor to submit, or not submit, an application for the purpose of restricting competition. The Applicant further assures that the proposed costs have been arrived at independently, without consultation, communication, or agreement with any other organization or competitor for the purpose of restricting competition. Nor has the Applicant knowingly disclosed the proposed costs on a prior basis, either directly or indirectly, to any other organization or competitor.
  - d. **Press Releases.** The Applicant agrees to obtain prior written consent and approval of DEEP for press releases that relate in any manner to this request for Applications or any resultant contract.
3. **Preparation Expenses:** Neither the State nor DEEP shall assume any liability for expenses incurred by an Applicant in preparing, submitting, or clarifying any proposal submitted in response to this request for Applications.
4. **Proposed Costs:** No cost submissions that are contingent upon a State action will be accepted. All proposed costs must be fixed through the entire term of the contract.
5. **Changes to Proposal:** No additions or changes to the original proposal by the Applicant will be allowed after submission, except upon request by DEEP.
6. **Supplemental Information.** Supplemental information will not be considered after the deadline submission of proposals, unless specifically requested by DEEP. DEEP may ask an Applicant to give demonstrations, interviews, oral presentations or further explanations to clarify information contained in an application. Any such demonstration, interview, or oral presentation will be at a time selected and in a place provided by DEEP. At its sole discretion, DEEP may limit the number of Applicants invited to make such a demonstration, interview, or oral presentation and may limit the number of attendees per Applicant.
7. **Presentation of Supporting Evidence.** If requested by DEEP, an Applicant must be prepared to present evidence of experience, ability, data reporting capabilities, financial standing, or other information necessary to satisfactorily meet the requirements set forth or implied in this Application or its proposal. DEEP may make onsite visits to an operational facility or facilities of an Applicant to further the Applicant's abilities to perform the duties required by this request for Applications.
8. **Request For Applications Is Not An Offer.** Neither this request for Applications nor any subsequent discussions shall give rise to any commitment on the part of the State or DEEP or confer any rights on any Applicant unless and until a grant agreement is fully executed by the necessary parties. The grant agreement will represent the entire agreement between the Applicant and DEEP and will supersede all prior negotiations, representations or agreements, alleged or made, between the parties. The State shall assume no liability for costs incurred by the Applicant for payment of services under the terms of the contract until the successful

Applicant is notified that the agreement has been accepted and approved by the DEEP and, if required, by the Attorney General's Office.

9. Rights Reserved to the State. By submitting a proposal in response to this request for Applications, an Applicant implicitly accepts that the following rights are reserved to the State:
  - a. Timing Sequence. The timing and sequence of events associated with this Application shall ultimately be determined by DEEP.
  - b. Amending or Canceling Application. DEEP reserves the right to amend or cancel this request for Applications on any date and at any time, if DEEP deems it to be necessary, appropriate, or otherwise in the best interests of the State.
  - c. No Acceptable Proposals. In the event that no acceptable proposals are submitted in response to this Application, DEEP may reopen the Application process, if it is determined to be in the best interests of the State.
  - d. Award and Rejection of Proposals. DEEP reserves the right to award in part, to reject any and all proposals in whole or in part, for misrepresentation or if the proposal limits or modifies any of the terms, conditions, or specifications of this request for Applications. DEEP may waive minor technical defects, irregularities, or omissions, if in its judgment the best interests of the State will be served. DEEP reserves the right to reject the proposal of any Applicant who submits a proposal after the submission date and time.
  - e. Sole Property of the State. All proposals submitted in response to this request for Applications are to be the sole property of the State.
  - f. Grant Agreement Negotiation. DEEP reserves the right to negotiate the grant agreement for all or any portion of the services contained in the Application. DEEP further reserves the right to negotiate a grant agreement with one or more Applicants for such services. After reviewing the scored criteria, DEEP may seek Best and Final Offers (BFO) on cost from Applicants. DEEP may set parameters on any BFOs received.
  - g. Clerical Errors in Award. DEEP reserves the right to correct inaccurate awards resulting from its clerical errors. This may include, in extreme circumstances, revoking the awarding of a contract already made to an Applicant and subsequently awarding the contract to another Applicant. Such action on the part of the State shall not constitute a breach of contract on the part of the State since the contract with the initial Applicant is deemed to be void ab initio and of no effect as if no contract ever existed between the State and the Applicant.
  - h. Sovereign Immunity. Nothing in this request for Applications is to be construed as a modification, compromise or waiver by the State of any rights or defenses of any immunities provided by Federal law or the laws of the State to the State or any of its officers and employees, which they may have had, now have or will have with respect to all matters arising out of the request for Applications or a contract award.
  - i. Termination of Grant Agreement. Any grant agreement resulting from this Application may be terminated whenever DEEP makes a written determination that such determination is in the best interests of the State.
10. Conflict of Interest Disclosure Statement: Applicants must include a disclosure statement concerning any current business relationships (within the last three (3) years) that pose a conflict of interest, as defined by Conn. Gen. Stat. § 1-85. A conflict of interest exists when a relationship exists between the Applicant and a public official (including an elected official) or

State employee that may interfere with fair competition or may be adverse to the interests of the State. The existence of a conflict of interest is not, in and of itself, evidence of wrongdoing. A conflict of interest may, however, become a legal matter if an Applicant tries to influence, or succeeds in influencing, the outcome of an official decision for their personal or corporate benefit. In the absence of any conflict of interest, an Applicant must affirm such in the disclosure statement. Example: “[name of Applicant] has no current business relationship (within the last three (3) years) that poses a conflict of interest, as defined by Conn. Gen. Stat. § 1-85.”

## 9.D Log of Document Changes

| Version | Date Published   | Summary of Changes   |
|---------|------------------|--|
| 1.0     | January 22, 2025 | Initial Publication  |
| 2.0     | January 23, 2025 | 100% Coverage Proposal Requirement excludes all potential No-BEAD Locations. |