



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

Solicitation No.2025-MBI-06

January 15, 2025

Applicants are encouraged to review this Solicitation and the application template thoroughly before starting the application process. Doing so will help Applicants understand the requirements for the application and the key factors considered in the evaluation and increase the likelihood of submitting a successful Application.

Executive Office of Economic Development (EOED) and Massachusetts Broadband Institute (MBI)

BEAD Program

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1. Solicitation Information

1.1. Solicitation Schedule

*Table 1: Solicitation Schedule**

Activity	Date
BEAD Deployment Phase Round One Opens	January 15, 2025
Bidders Conference	January 29, 2025
Questions Due	February 3, 2025
Responses Posted	February 12, 2025
BEAD Deployment Phase Round One Closes **	February 28, 2025
*All RFP schedule descriptions and dates are tentative and subject to change.	

Applicants are encouraged to review this Solicitation and the application template thoroughly before starting the application process. Doing so will help Applicants understand the requirements for the application and the key factors considered in the evaluation and increase the likelihood of submitting a successful application.

1.2. Solicitation Objectives

The Broadband Equity, Access and Deployment (BEAD) funding program in Massachusetts aims to provide universal broadband access and support digital equity initiatives. The goal is that by the end of the BEAD Program, Massachusetts will achieve universal broadband access, serving all unserved and underserved broadband serviceable locations (BSLs), using reliable broadband technology at speeds of at least 100 Mbps / 20 Mbps. Please refer to the list of BSLs eligible for BEAD Deployment Phase Round One funding in section 4.4 for more details.

1.3. Massachusetts Technology Collaborative and the Massachusetts Broadband Institute

The Massachusetts Technology Collaborative (“MassTech”) is an independent public instrumentality of the Commonwealth of Massachusetts chartered to serve as a catalyst for growing its innovation economy. MassTech brings together leaders from industry, academia, and government to advance technology-focused solutions that lead to economic growth, job creation, and public benefits. For additional information about MassTech and its programs and initiatives, please visit our website at www.masstech.org. Massachusetts Broadband Institute (“MBI”), a division of MassTech, serves as the broadband office for the Commonwealth of Massachusetts. The primary mission of MBI is to extend affordable, robust, high-speed internet access to homes, businesses, schools, libraries, medical facilities, government offices and public places across Massachusetts. For more information about MBI and its programs and activities generally, please visit the website at massbroadband.org. Program funds are governed by the Commonwealth and federal regulations and guidance.

MassTech will be the contracting entity on behalf of MBI for the purposes of this Program, and (except where the specific context warrants otherwise), MBI and MassTech are collectively referred to as “MassTech Collaborative” or “MassTech”. Funding Agreements will contain certain standard provisions, including mandatory federal flow down provisions.

2. Key Information

This document outlines the information required for the Project Applications for the Massachusetts BEAD funding program. The program requirements in this solicitation are in alignment with the requirements of the Federal BEAD program Notice of Funding Opportunity (“BEAD NOFO”) and Massachusetts BEAD Initial Proposal Volume II.

Applicants who did not previously complete MBI’s online BEAD Pre-Qualification Process must do so before they can proceed with submitting Project Applications. After submission of the BEAD Qualification Application, applicants will be prompted to begin their Project Applications. The guidelines for completing the Qualification Application can be found [here](#). The Public Records Policy in Section 4.6.4.

If an applicant applied, but was not approved under the Pre-Qualification process, they must re-submit their qualification information and documents by completing the BEAD Qualification Application in addition to the full Project Application.

Applicants who have been Pre-Qualified may immediately submit the full Project Application.

Contact for Questions

If you have any questions about or during the process, please contact MBI using the proposals@masstech.org email. Please include “2025-MBI-06 BEAD Deployment Project Application” in the subject line.

3. Program Background

3.1. Program Overview

The National Telecommunications and Information Administration’s (NTIA) BEAD Program provides \$42.45 billion to expand high-speed internet access across the U.S. states and territories. The Commonwealth of Massachusetts has been allocated BEAD funding totaling \$147 million to support expansion of broadband access to Unserved and Underserved Locations. The Executive Office of Economic Development (EOED), working in close collaboration with MBI, is managing the Commonwealth’s BEAD funding. EOED is the prime recipient and responsible for the delivery, reporting, and compliance related to the funding. The BEAD program in Massachusetts aims to provide universal broadband access and support digital equity initiatives. The goal is that the BEAD deployment program will achieve its 100% availability goal. This document will focus on BEAD Deployment Phase Round One.

3.2. Key Definitions

The following definitions are applicable to the BEAD Program:

Alternative Technology: Any broadband access technology that doesn’t qualify as reliable broadband service but meets the BEAD program’s minimum technical requirements (Speed of at least 100 Mbps for downloads and 20 Mbps for uploads, Latency of 100 milliseconds or less round-trip time). Examples of alternative technologies include Unlicensed fixed wireless (ULFW) and Low-earth orbit (LEO) satellite service.

Applicant: An entity that has been pre-qualified under the Massachusetts BEAD program and has submitted an application seeking funding for one or more Projects.

Broadband; Broadband Service: The term “broadband” or “broadband service” has the meaning given the term “broadband internet access service” in Section 8.1(b) of title 47, Code of Federal Regulations, or any successor regulation, meaning it is a mass-market retail service by wire or radio that provides the capability to transmit data to and receive data from all or substantially all internet endpoints, including any capabilities that are incidental to and enable the operation of the communications service, but excluding dial-up internet access service. This term also encompasses any service that the Federal Communications Commission (“FCC”) finds to be providing a functional equivalent of the service described in the previous sentence or that is used to evade the protections set forth in this part.

Broadband-Serviceable Location (BSL): The term “BSL” means a business or residential location in the United States at which fixed broadband Internet access service is, or can be, installed.

Broadband Data Collection (BDC): The term “BDC” refers to the methodology and systems the FCC uses to collect broadband availability, subscription, and bulk crowdsourced/challenge data for use in the Commission’s broadband mapping program.

Broadband DATA Maps: The term “Broadband DATA Maps” means the maps created by the Federal Communications Commission under Section 802(c)(1) of the Communications Act of 1934 (47 U.S.C. § 642(c)(1)).

BSL Eligibility List: A list of all unserved and underserved BSLs that are presumptively eligible for funding (hereinafter referred to as the “BSL Eligibility List”), based on results from the BEAD challenge process and subsequent updates including but not limited to funding commitment updates.

Commission: The term “Commission” means the Federal Communications Commission.

Community Anchor Institution (CAI): The term Community Anchor Institution (“CAI”) means 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 low-income individuals, unemployed individuals, and aged individuals.

Director/Officer Level Employee: The term “Officer/Director-level employee” of an Applicant or Subgrantee may include roles such as President, Chief Executive Officer, Chief Financial Officer, Treasurer, or equivalent position

Key Project Personnel: The term “Key Project Personnel” means all personnel who are likely to have a role on the potential broadband Project(s) to be funded by this grant award, including but not limited to, a chief technology officer, Project engineer, and contractor oversight team.

Other Last Mile Deployment Projects: An Other Last-Mile Deployment Project is characterized as a project where one or more BSLs will not receive services via end-to-end fiber-optic facilities.

Overbuild: The construction of broadband infrastructure that passes or otherwise makes broadband service available to location(s) that are not Unserved or Underserved. For example, a second fiber line built to a location that is not an Unserved or Underserved Location is considered an Overbuild.

Program: The term “Program” means MBI’s Broadband Equity, Access, and Deployment Grant Program.

Priority Broadband Project: A Priority Broadband Project is characterized as a project that provides internet services via end-to-end fiber-optic facilities to reach end users.

Project: The term “Project” means an undertaking by a subgrantee to construct and deploy infrastructure for the provision of broadband service. A “Project” may constitute a single Unserved or Underserved broadband-serviceable location, or a grouping of broadband-serviceable locations as prescribed by MBI.

Project Service Area (PSA): A “Project Service Area” is the geography in which an Applicant may propose to provide broadband services. A PSA will be a single municipality. An Applicant

may apply for one or more PSAs as part of this solicitation. Any given Applicant must propose to provide broadband services to all eligible BSLs within the PSA as part of their application, in alignment with the BSL eligibility list located on the BEAD solicitation website.

Qualifying Broadband Service: “Qualifying Broadband Service” to a BSL is Reliable Broadband Service with (i) a speed of not less than 100 Mbps for downloads; and (ii) a speed of not less than 20 Mbps for uploads; and (iii) latency less than or equal to 100 milliseconds; “Qualifying Broadband Service” to a CAI is Reliable Broadband Service with a speed of not less than 1 Gbps for downloads and uploads alike and latency less than or equal to 100 milliseconds.

Reliable Broadband Service: The term “Reliable Broadband Service” means broadband service that is accessible to a location via: i) fiber-optic technology (BDC technology code 50), ii) cable modem/hybrid fiber-coaxial (HFC) technology (technology code 40), iii) terrestrial fixed wireless technology utilizing entirely licensed spectrum (includes spectrum licensed by rule), or iv) terrestrial fixed wireless technology using a hybrid of licensed and unlicensed spectrum (technology codes 71 and 72).

State: The term “State” means, for the purposes of the BEAD Program, any State of the United States, the District of Columbia, and Puerto Rico. In this case, the Commonwealth of Massachusetts.

Subgrantee/Subrecipient: The term “Subgrantee” or “Subrecipient” means a non-federal entity that receives a subaward for the purpose of carrying out part of a federal award. An entity that receives BEAD grant funds from the Commonwealth of Massachusetts to carry out eligible activities shall be deemed to be a Subrecipient and shall be subject to the provisions of the federal Uniform Guidance (see 2 CFR Part 200) applicable to Subrecipients.

Underserved Location: The term “Underserved Location” means a broadband-serviceable location that is (a) not an Unserved Location, and (b) that the Massachusetts BEAD program eligible locations map show as lacking access to Reliable Broadband Service offered with—(i) a speed of not less than 100 Mbps for downloads; and (ii) a speed of not less than 20 Mbps for uploads; and (iii) latency less than or equal to 100 milliseconds.

Unserved Location: The term “Unserved Location” means a broadband-serviceable location that the Massachusetts BEAD program eligible locations map show as (a) having no access to broadband service, or (b) lacking access to Reliable Broadband Service offered with—(i) a speed of not less than 25 Mbps for downloads; and (ii) a speed of not less than 3 Mbps for uploads; and (iii) latency less than or equal to 100 milliseconds.

3.3. Important Links and Guides

The BEAD Grant Program is governed by state and federal rules, statues and regulations. All Projects must be managed in accordance with all applicable rules, including but not limited to the U.S. National Telecommunications and Information Administration - Broadband Equity Access and Deployment Program guidance. MBI recommends reviewing these documents before beginning an application.

- MBI BEAD homepage: [Broadband Equity Access & Deployment \(BEAD\) Program | MBI](#)
- MBI BEAD Initial Proposal Volume I: [BEAD Initial Proposal Vol I](#)
- MBI BEAD Initial Proposal Volume II: [BEAD Initial Proposal Volume II](#)
- [NTIA Broadband Equity Access and Deployment Program](#)
- [NTIA Notice of Funding Opportunity](#)
- [BEAD Resource Index](#)
- [BEAD Subgrantee Qualifications Evaluation Guide](#)
- [Subgrantee Selection Primer: A Guide for Eligible Entities](#)

- [BEAD Selecting Technology Policy Notice](#)
- [Tailoring the Application of the Uniform Guidance to the BEAD Program | BroadbandUSA](#)
- [List of High-Cost Areas](#)
- [BABA Act requirements](#)
- [BABA Final Waiver](#)
- [EPA.gov | BABA Approved Waivers](#)
- [Commerce.gov | BABA Waivers, FAQs, and Related Information](#)
- [BABA Compliance and Self Certification](#)
- [NEPA | National Environmental Policy Act](#)
- [National Historic Preservation Act | Advisory Council on Historic Preservation](#)
- [Guidance on NTIA National Environmental Policy Act Compliance](#)
- [Environmental & Historical Preservation Fact Sheet](#)

4. Application Information

4.1. Applicant Eligibility

The following types of entities may apply for BEAD grants:

- Private companies (e.g., corporations, limited liability companies, general partnerships, limited partnerships, etc.)
- Local governmental entities (e.g., municipalities or municipal light plants that offer broadband service)
- Tribal Governments
- Nonprofit organizations
- Co-operatives, electric co-operatives, and public or private utilities
- Public utility districts
- Public Private Partnerships, which are long-term agreements between local government entities and private entities for the delivery and funding of broadband services
- Other entities that develop and/or operate broadband networks and can demonstrate the experience, capacity and financial resources and stability to satisfy the grant obligations.

4.2. Eligible Costs

Grant recipients may only use federal award funds, and any non-federal cost share committed to an award to pay for allowable costs under the BEAD Program. Allowable costs are determined in accordance with the cost principles identified in 2 C.F.R. Part 200, including Subpart E of such regulations for States and non-profit organizations, and in 48 C.F.R. Part 31 for commercial organizations (the government has established a set of principles for determining eligible or allowable costs; allowable costs are determined in accordance with the cost principles applicable to the entity incurring the costs (for example, the allowability of costs incurred by State, Territorial, local or Federally)) as well as in the grant program's authorizing legislation. In addition, costs must be reasonable, necessary, allocable, and allowable for the

proposed Project or other eligible activity and conform to generally accepted accounting principles. Funds committed to an award may only be used to cover allowable costs incurred during the period of performance and for allowable closeout costs incurred during the grant closeout process.

Categories of eligible Project costs include but not limited to:

- Make ready
- Design and engineering
- Permitting and regulatory compliance, including environmental, historical, and cultural reviews, building, and electrical
- Network equipment, fiber/cabling, facilities and materials
- Construction and installation
- Qualifying Long Drop, Non-Standard Customer Installation costs - Applicants may request funding to cover the cost of a “non-standard” customer installation that requires the customer to contribute to the upfront, non-recurring cost of the installation. The customer installation is defined as the broadband infrastructure service (aerial or conduit) running from a backbone or lateral fiber optic cable to an unserved or underserved BSL in a proposed PSA.
- Incidental Overbuild costs – The Applicant must demonstrate that the proposed overbuild portions of the project are the most cost-effective and necessary approach to reaching unserved or underserved BSLs. Incidental overbuild costs cannot exceed 10% of the total project cost.
- Qualifying Multiple Dwelling Unit costs
- Leases for terms longer than one year of facilities including IRU agreements and capital leases
- Personnel costs required for carrying out the capital Project
- Costs associated with monitoring and reporting in compliance with Treasury requirements
- Administrative costs¹.

4.3. Ineligible Costs

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. If an Eligible Entity is found to have used grant or matching funds on a prohibited cost, the Assistant Secretary may take remedial action, including but not limited to deobligation or claw back of funding.

In addition, grant funds awarded to an Eligible Entity under this program shall be used to supplement, and not supplant, the amounts that the Eligible Entity would otherwise make available for the purposes for which the grant funds may be used.

Ineligible costs include, but are not limited to:

- Acquisition of spectrum licenses

¹“Administrative Expenses” or “Administrative Costs” mean the costs incurred by a subgrantee related to the administration of its BEAD award, the provision of technical assistance to potential subcontractors, and compliance with grant administration and audit requirements.

- Operating expenses (including salaries of staff operating the capital Project once completed)
- Short-term operation leases
- Payment of interest or principal on outstanding debt instruments
- Fees associated with the issuance of new debt
- Satisfaction of any obligation arising under or pursuant to a settlement agreement, judgment, consent decree, or judicially confirmed debt restructuring plan in a judicial, administrative, or regulatory proceeding
- Support or opposition of collective bargaining
- Program grant application preparation costs
- Expenses incurred prior to the execution of the funding agreement.

4.4. Project Area(s)

The basic geographic unit for a Project Service Area (PSA) in BEAD Deployment is a single municipality.

BEAD subgrantees must commit to serve 100% of eligible BSLs in the municipalities they include in their applications based on the BSL Eligibility List posted with this Solicitation. Applicants may propose to serve more than one PSA within their Application.

4.5. Extremely High Cost Per Location Threshold

The Extremely High Cost Per Location Threshold (“EHCPLT”) will be determined by MBI after reviewing Round One applications and will prioritize fiber deployment while ensuring MBI has enough funds for universal broadband access and other priorities. MBI will assess the available BEAD allocation to determine if fiber deployment alone can cover all unserved and underserved locations. If fiber is not cost-effective as determined by implementation of the EHCPLT, an Alternative Technology may be used, but priority will be given to end-to-end fiber projects. Nothing in this Section 4.5 shall be deemed to relieve an applicant from satisfying all Program requirements. Furthermore, the framework for implementation of the EHCPLT shall be subject to the scoring rubrics described in Section 6.

To set an appropriate EHCPLT, MBI will develop a cost model based on data from the MBI Gap Networks Program, CostQuest, and Round One of the BEAD Program. This data will inform the selection process for subgrantees, maximizing end-to-end fiber deployment while ensuring sufficient funding for all remaining unserved and underserved locations and investing in economically reasonable projects.

- If all proposed Priority Broadband Projects have grant costs per location that are higher than the EHCPLT, and another application offers a project for the same municipality with lower grant costs that is not end to end fiber, and thus categorized as an Other Last Mile Deployment Project, MBI will inform the Priority Broadband Project applicants that their grants are too costly and invite them to revise their applications to meet the EHCPLT requirements.
 - The revised projects may include a small number of high-cost locations served by technology other than fiber, as long as they do not exceed 20% of the total locations and evidence of high deployment costs is provided.
 - All applicants must commit to serving the entire project area, even if an Alternative Technology is used for some locations.

- If all applicants are unable to revise their projects to include a combination of end-to-end fiber and other Reliable Broadband Service technologies to serve the full municipality, MBI will decline their projects and select the other Reliable Broadband Service project instead that does serve all eligible BSLs in the municipality.
- If only one Priority Broadband Project applicant is able to revise their project to meet the EHCPLT, that project will be chosen.
- If multiple applicants can revise their projects to meet the EHCPLT, MBI will select among them based on the quantity of coverage using end-to-end fiber technology. If one project can reduce its grant request while maintaining 95% fiber coverage and another project can only reduce it to 90%, the project with 95% fiber coverage will be chosen. If all projects have the same percentage of fiber coverage, they will be rescored based on the Priority Broadband Project rubric, and the highest-scoring project will be awarded.

There may be cases where no Reliable Broadband Service projects are available, or where the subsidy required for the Reliable Broadband Service projects are above the EHCPLT, and the state is unable to negotiate for a reduction of grant requests to an acceptable level. In such instances, MBI will consider Alternative Technologies that may not meet the exact definition of Reliable Broadband Service. In that case, MBI will still require assurance that the projects fulfill the technical requirements of speed and latency even if network demand exceeds planned network capacity.

- Alternative Technology solutions must be capable of providing internet service upon request, at speeds of 100/20 Mbps with latency below or equal to 100 milliseconds even if subscription rates are 100% in the proposed project service areas and also high in adjacent areas where internet service is offered by the same providers.
- MBI will require Alternative Technology applicants to provide contingency plans to demonstrate that excess capacity will be available and new customers in BEAD areas will not be denied service because the network is fully utilized by existing customers.

To ensure effective program implementation, MBI will explore technologies like satellite internet access and unlicensed fixed wireless and consider guidance from NTIA, best practices, and successful deployments in other states and jurisdictions.

4.6. BEAD Deployment Application Round One

The BEAD Round One focus will be on municipalities as the Project service area. BEAD Round One subgrantees must commit to serve 100% of eligible BSLs in the municipalities they include in their applications. Each Project application must include only one municipality. MBI reserves the right to consider BEAD Round One awards to be provisional. There is a possibility that BEAD Round One awards may be updated or augmented to reflect outreach and discussion during Round Two.

4.6.1. Application Process

All applications must be submitted using an online application through Submittable. Applications must be complete and provide all required information and documentation across both Threshold and Scoring questions to be evaluated.

MBI administered a Pre-Qualification process prior to the opening of Round One. Participation in this Pre-Qualification was not mandatory. However, all applicants must be determined by MBI to be qualified to be awarded funding through this Program. The first step in the application process will depend on the potential applicant's status as described below:

1. **Applicant Completed the Pre-Qualification Process and was Approved by MBIs:**
Applicant should proceed directly to the project application.

2. **Applicant Completed Pre-Qualification Process but was not Approved by MBI:** Applicant shall be required to submit qualification information and documentation as the initial step and then complete the project application.
3. **Applicant Did not Participate in the Pre-Qualification Process:** Applicant shall be required to submit qualification information and documentation as the initial step and then complete the project application.

Detailed guidance on the qualification process is available [here](#). MBI will review the qualifications of every applicant that has not successfully completed the Pre-Qualification Process to determine if the applicant is qualified to receive funding under this Program. This determination will be made as part of MBI's threshold review of each application. All applications must be submitted online via Submittable. Applications must be fully completed, with all sections clearly labeled.

Applicants will be asked to select the Project type from Priority Broadband Projects and Other Last-Mile Broadband Projects that they intend to develop in their application.

Priority Broadband Projects and Other Last-Mile Broadband Projects will have the same application questions but have different scoring criteria. The only questions exclusively for Other Last-Mile Broadband Projects pertain to Speed of Network and Other Technical Capacities. Please see the Scoring Criteria section for more details on how these projects will be scored.

4.6.2. Bidders Conference

MBI will host a virtual bidders conference on 1/29/2025 at 1:00 p.m. EST. To register, please follow [this link](#) to a Zoom registration page. MBI will post a recording and summary responses to procedural questions and issues addressed during the bidders' conference on the BEAD Application Solicitation.

4.6.3. Questions and Answers

Questions regarding this solicitation must be submitted to the BEAD program staff at proposals@masstech.org with the subject line "2025-MBI-06 BEAD Deployment Application Question". All questions must be received by 5:00 p.m. EST 2/3/2025. Responses to all questions received by this deadline will be posted on or before 5:00 p.m. EST on 2/12/2025 on MassTech Collaborative and COMMBUYS website(s).

All program documents, including this solicitation, the grant application, Question & Answer documents, and a recording of the Bidders Conference will be posted on the MBI website at [Broadband Equity Access & Deployment \(BEAD\) Program | MBI](#).

4.6.4. Public Records Policy

All responses, applications, data, materials, information, and documentation submitted in response to the BEAD Program shall be subject to public disclosure. As public entities, MassTech and MBI are subject to the Massachusetts Public Records Law (set forth at Massachusetts General Laws Chapter 66). There are extremely limited and narrow exceptions to disclosure under the Public Records Law. If an Applicant wishes to have MBI treat certain information or documentation as confidential, the Applicant must submit a written request to MassTech's General Counsel, Jennifer Saubermann - saubermann@masstech.org - prior to submission. The request must precisely identify the information and/or documentation that is the subject of the request and provide a detailed explanation supporting the application of the statutory exemption(s) from the public records cited by the Applicant. The General Counsel will issue a written determination within ten (10) business days of receipt of the written request. If the General Counsel approves the request, the Applicant shall clearly label the relevant information and/or documentation as "CONFIDENTIAL" in the Application. Any statements in an Application reserving any confidentiality or privacy rights that are inconsistent with these requirements and procedures will be disregarded.

4.6.5. Funding Agreement

Applicants that are awarded funding will be required to have an authorized representative execute a Funding Agreement with MassTech. The form of Funding Agreement will be posted on MBI's website. The Funding Agreement will include terms and conditions including, but not limited to:

- Description of the services
- Roles and responsibilities
- Grant payment schedule (consistent with payment on a cost reimbursement basis upon completion of specified project milestones)
- Eligible uses of funds
- Period of performance
- Accounting and reporting requirements
- Compliance requirements
- Remedies for noncompliance
- Audit practices
- Record keeping
- Internal controls, and other terms required by federal law

The Funding Agreement will also outline the relevant terms a Grantee must follow to comply with the approved Project requirements.

4.6.6. Payment Schedule

MassTech will make payments to subgrantees upon completion of project milestones specified in the Funding Agreement. BEAD subgrantees will receive funding on a fixed amount subaward basis based on pre-determined and agreed invoice submission. The fixed amount subawards provide for a maximum payment amount based on a reasonable estimate of actual eligible project costs. Payments to subrecipients will be based on actual project costs supported by documentation of project expenses as further detailed in the Funding Agreement. Each payment request will also be accompanied by a report, the format of which will be provided by MBI, on the project's progress, expenditures, risks and impact.

5. Threshold Requirements

Prior to scoring applications, MBI will conduct a threshold review using the Threshold Requirements outlined below. Applicants must meet all Threshold Requirements to be considered for scoring. If any of the Threshold Requirements are not met, the Application will be rejected. The Threshold Requirements in this Section 5 are in addition to the qualification requirements referenced in Section 4.6.1.

5.1. Project Service Area

Applicants will be required to select the Project Service Area that they intend to serve. The Applicant will select the municipality to be served based off a drop-down menu. Applicants will only be asked to select one municipality in the drop-down menu which will be accessible via the

Application Portal. If Applicants wish to apply for more than one municipality they will need to create a new application form for each municipality.

5.2. Letter of Municipal Support

Applicants will be required to confirm whether their organization has received an unconditional letter of support from the municipality associated with the Project application and to provide this letter as an upload. Unconditional means that the support provided is not contingent upon any specific actions, conditions, or requirements being met by the Applicant. The letter of support must come from the Governing Body of the municipality (e.g., Select Board, City Council) or an appropriately elected or appointed municipal official acting on behalf of the municipality (e.g., Mayor, Town Manager). The Applicant is strongly encouraged to obtain the letter of support prior to submitting an Application to MBI. However, MBI will allow an Applicant to submit a letter of support to MBI after the application deadline; provided that the letter of support must be submitted to MBI no later than March 10, 2025,

An Applicant may submit a letter of support from a municipality that was previously obtained in connection with MBI's Broadband Infrastructure Gap Networks Grant Program; provided that the letter satisfies the criteria set forth above. In such instances, MBI reserves the right to contact the signatory municipal official(s) to confirm that the letter of support is still valid.

5.3. Tribal Engagement

Local and Tribal coordination and stakeholder engagement is critical to the BEAD Program's success, to eliminating barriers to broadband access and adoption, and to rapidly and economically building out new broadband networks.

If Applicants are planning to cross Tribal Land, Applicants must submit formal written consent from each Tribal Government, from the Tribal Council or other governing body, upon whose Tribal Lands the infrastructure will be deployed. Proof of consent can take the form of a signed document from each Tribal Government indicating their formal written approval of the proposed broadband deployment on their lands. The Applicant is strongly encouraged to obtain the written consent letter prior to submitting an Application to MBI. However, MBI will allow an Applicant to submit a written consent letter to MBI after the Application deadline; provided that the written consent letter must be submitted to MBI no later than March 10, 2025. There are two federally recognized Tribes in Massachusetts:

- Mashpee – Mashpee Wampanoag Tribe
- Aquinnah (Martha's Vineyard) - Wampanoag Tribe of Gay Head (Aquinnah)

5.4. Network Design and Timeline

5.4.1. Project Data

Applicants will be required to provide the total number of Unserved and Underserved Locations that they intend to serve and to confirm that the Project will serve every Unserved and Underserved Locations (based on the list of BEAD eligible locations posted with this Solicitation) within each Project Area included in their application.

5.4.2. Network Design

Applicants will be required to provide a high-level network design, showing the proposed network that will deliver broadband service meeting or exceeding the performance requirements to all BSLs served by the Project. Preferred GIS format file types are ESRI file geodatabases (GDB) and shapefiles (SHP). Other acceptable file types include those from Google Earth

(KML/KMZ) and QGIS (QGS/QGZ). Networks maps must additionally be submitted in PDF format.

Applicants must also include the following information in their network designs:

- Lines depicting proposed network path layer. The path layer should distinguish between aerial and underground installations to the extent possible.
- Points identifying the location of all eligible BSLs in the project service areas. CostQuest Fabric Location IDs are to be submitted in a separate CSV file. CostQuest Fabric Location IDs and other identifying information are not to be depicted in the GIS or PDF maps; Fabric IDs are only to be identified in the companion CSV file.
- Points identifying relevant network equipment necessary for providing services to the BSLs served by the Project.
- Polygons outlining all proposed service areas.
- Point(s) of interconnection with existing infrastructure.

Conduit access points that align with the plan required by Section 5.5.4. If Applicants are proposing to use fixed wireless, Applicants must also include network diagrams depicting the following:

- FWA base station locations (e.g. antennas and/or radios that are attached to towers or masts).
- For each base station, Applicants must provide the following:
 - Propagation maps that demonstrate path loss due to different attenuations (e.g. foliage, atmospheric, geographic, metallic surfaces) by distance 50 meters, 100 meters and 1000 meters at the operating bandwidths
 - Uplink and downlink maximum throughputs, per channel
 - Total channels per base station
 - Throughput for all backhaul and bridge links that support each base station

Applicants must also provide a narrative on the Network Design outlining the following:

- Priority Broadband Projects: That the network (i) is capable of providing internet services upon request, at speeds of 1 Gbps/1 Gbps symmetrical to every BSL in the municipality (Including technology type, network capacity and scalability, network optimization); and (ii) will be able to serve every unserved and underserved location within the proposed Project Area.
- Other Last Mile Projects: That the network (i) is capable of providing internet service upon request, at speeds of 100/20 Mbps with latency below or equal to 100 milliseconds to every BSL in the municipality (Including technology type, network capacity and scalability, network optimization); and (ii) will be able to serve every unserved and underserved location within the proposed Project Area.
- CAIs: If Applicants are proposing to serve CAIs, the network is capable of providing Reliable Broadband Service with a speed of not less than 1 Gbps for downloads and uploads alike and latency less than or equal to 100 milliseconds. (Including technology type, network capacity and scalability, network optimization)

All Applicants must also outline their approach to ensuring outages do not exceed 48 hours on average.

All Applicants must also submit a CSV file with a listing of the CostQuest Fabric Location IDs for all eligible BSLs in the project service areas as noted above.

5.4.3. Network Design Certifications

Applicants will need to certify that the proposed network can deliver broadband service that meets the requisite performance requirements to all BSLs served by the Project (1 Gbps/1 Gbps for Priority Broadband Projects and 100/20 Mbps for Other-Last Mile Deployment Projects).

Applicants will have to agree that if awarded, the network design will be certified by a certified Professional Engineer at the Applicant's expense before execution of the funding agreement. The Professional Engineer may be certified by any state. The certification must state that that the proposed network can deliver broadband service that meets the requisite performance requirements to all locations served by the Project.

5.4.4. Conduit Access Points

Applicants to confirm are required to confirm if the Project involves laying fiber-optic cables or conduits underground or along a roadway.

Applicants must describe their plan for placement and interval of conduit access points. This plan must propose a conduit interval that provides for conduit access points to be located at regular and short intervals. This plan shall also include the deployment of a reasonable amount of excess conduit capacity. This corresponding depiction of the plan for conduit access points must be included in the Network Design required in Section 5.5.2,

5.4.5. Timeline

Applicants are required to fill out the Project timeline table with key implementation phases. The timeline must include a start date and expected end date for all phases. Table 2 will be accessible via the Submittable Application Portal.

Table 2: Milestone Timeline

Phase	Milestone	State Date	End Date
<ul style="list-style-type: none"> Pre-Engineering 	<ul style="list-style-type: none"> Site surveys, field work, and completion of preliminary design and engineering 		
<ul style="list-style-type: none"> Final Engineering 	<ul style="list-style-type: none"> Execution of cable television license agreement (if applicable) 		
<ul style="list-style-type: none"> Regulatory Approvals and/or Permits 	<ul style="list-style-type: none"> Filing make-ready applications for pole and conduit licenses and payment of associated fees Payment of make-ready estimates to utilities Receipt of all make ready licenses needed to complete the Project Receipt of municipal grants of location to public rights of way (if applicable) Compliance with National Environmental Policy Act (NEPA) and Environmental and Historic Preservation (EHP) requirements 		

<ul style="list-style-type: none"> • Construction 	<ul style="list-style-type: none"> • Completion of 50% of construction buildout (measured by premises passed) 		
<ul style="list-style-type: none"> • Testing and Project Closeout 	<ul style="list-style-type: none"> • Final Completion (measured by 100% of premises passed and completion of initial customer installations) 		

5.5. Build America, Buy America Requirements

MBI is deeply committed to the Build America, Buy America Act (“BABA”), and will require all Applicants to comply with related requirements when applying for the BEAD grant program.

5.5.1. Compliance Approach

Applicants will be required to provide detailed plans outlining their approach to remaining compliant with BABA requirements. Details that Applicants must submit related to remaining compliant with BABA requirements include the following in compliance with the BEAD NOFO requirements and Final BABA guidance issued by the Office of Management and Budget:

- Approach to self-certification and compliance reporting in compliance with NTIA requirements
- Approach to ensuring that all the iron, steel, manufactured products (including but not limited to fiber-optic communications facilities), and construction materials used in the project or other eligible activities are produced in the United States unless a waiver is granted.
- Approach to ensuring that funds are not used to purchase or support any covered communications equipment or service, as defined in Section 9 of the Secure and Trusted Communications Networks Act of 2019 ([47 U.S.C. § 1608](#)). Approach to ensure funding is not used to purchase or support fiber optic cable and optical transmission equipment manufactured in the People’s Republic of China unless a waiver of this requirement is received from the Assistant Secretary.

5.5.2. Prior BABA Challenges and/or Noncompliance

MBI will require Applicants to certify whether their organization has any previous challenges or noncompliance with BABA requirements. If the answer is yes, the Applicant must provide a detailed narrative and documentation regarding any challenges or noncompliance with BABA requirements and the organization’s plan to remain compliant with BABA requirements. The information provided by the Applicant, including prior BABA compliance history, will be used during threshold review to determine if the Applicant has the capacity and capability to comply with BABA requirements.

Applicants must provide details related to challenges or noncompliance including:

- Instances of noncompliance (nature of noncompliance, affected materials, extent and duration of non-compliance)
- Challenges encountered (Supply chain issues, technical constraints)
- Corrective measures put in place (including future compliance assurance)

Additional BABA resources can be found in the important links section of this document.

5.6. Environmental and Historic Preservation Requirements

MBI is deeply committed to Environmental and Historic Preservation (“EHP”) and will require all Applicants to comply with all applicable requirements when applying for the BEAD grant program.

5.6.1. Compliance Approach

Applicants will be required to provide their approach to remaining compliant with National Environmental Policy Act (“NEPA”) requirements. This ensures that the environmental impacts of the proposed project are thoroughly considered and minimized during planning and implementation.

Details Applicants must provide include, but are not limited to the following:

A description of the geographic area impacted by the proposed Project, including a physical description of the site/route and surrounding area. This description must be sufficient to support a review of the sufficiency of the applicant’s proposed approach to NEPA compliance.

- A description of how the Project will be implemented
- Include ground-level and aerial photographs with project boundaries, sites, routes, and activities highlighted and clearly marked. Floodplain and wetlands maps are available for free online.
- Evidence that Applicants have conducted comprehensive environmental assessments, including site surveys, to identify sensitive areas like wetlands, endangered species habitats, and historic landmarks before project initiation
- Evidence that Applicants have, or have a plan to, communicate and collaborate with relevant federal, state, and local agencies responsible for environmental and historic preservation to obtain necessary permits and approvals
- Show that Applicants understand and commit to follow the NEPA requirements, including preparing environmental impact statements or environmental assessments depending on the project scale
- Have or will develop detailed mitigation plans to address any identified environmental or historical impacts, including strategies to minimize disturbances, avoid sensitive areas, and implement restoration measures where needed

5.6.2. Prior EHP Challenges and/or Noncompliance

MBI will require Applicants to certify whether their organization has any previous challenges or noncompliance with EHP requirements. If the answer is yes, the Applicant must provide a detailed narrative and documentation regarding any challenges or noncompliance with EHP requirements and their organization’s plan to remain compliant with EHP requirements. The information provided by the Applicant, including prior EHP compliance history, will be used during threshold review to determine if the Applicant has the capacity and capability to comply with EHP requirements.

Details applicants should provide related to challenges or noncompliance include but are not limited to:

- Instances of noncompliance (nature of noncompliance, affected locations, extent and duration of non-compliance)
- Challenges encountered
- Corrective measures put in place (including future compliance assurance)

For additional details, refer to the National Environmental Policy Act (NEPA) ([42 U.S.C. § 4321 et seq.](#)) and the National Historic Preservation Act (NHPA) ([54 U.S.C. § 300101 et seq.](#)).

Note that Subgrantees must obtain all necessary federal, Eligible Entity, and local governmental permits and approvals necessary for the proposed work to be conducted and will need to identify feasible measures to reduce or avoid any identified adverse environmental impacts of their proposed Projects or other eligible activities. The failure to do so may be grounds for not making an award.

5.6.2.1. NEPA Certifications

Applicants will be required to:

- Certify that their organization understands that NEPA/NHPA analysis will be required for every Project funded through the BEAD Program and agrees to provide sufficient information to allow for NEPA/NHPA analysis such as a detailed Project description, including applicable supporting documentation.
- Certify that their organization understands that they are responsible for identifying and obtaining applicable Federal, State and Local Permits (such as easements) required to complete any BEAD Projects
- Certify that their organization will cooperate with NTIA in identifying feasible measures to reduce or avoid any identified adverse environmental impacts of their proposed Project(s) or other eligible activities.

5.6.2.2. Climate Resiliency Certification

Applicants will be required to certify that their organization includes climate resiliency features in the network architecture design.

5.6.2.3. Climate Resiliency Plans

Applicants must submit climate resiliency plans for proposed networks, specifically those along the coastal areas. Applicants shall address technology platforms, specific design features, retrofitting considerations, and restorative processes. Applicants' plans should include an explanation of the climate resilient features incorporated into network architecture design, which may include, but is not limited to, some of the following considerations:

- Technology platform, facilities siting (aerial vs underground), and emergency restoration plans.
- Uninterruptible Power Supplies (UPS) devices should be a critical component to ensure essential backup power during weather-related disruptions.
- Develop a minimum emergency inventory of critical components to guarantee timely restoration.
- Emergency response plans and communication strategies to ensure timely and effective response to extreme weather events. Such planning will require coordination with power utilities, transportation authorities, public safety agencies, and affected community leaders.

5.7. Project Financials

5.7.1. Additional Financial Partners

If the grant application has additional financial partners contributing to the funds, Applicants will be asked to identify those additional financial partner(s) and provide the documentation of the amount, source and availability of each partner's financial contribution.

5.7.2. Performance Security

Applicants will be required to confirm whether their organization will obtain and submit either of the following if awarded a BEAD grant:

- **Option 1:** Surety Letter for Issuance of Performance Bond; or
- **Option 2:** Commitment Letter for Issuance of Letter of Credit

If Option 1 is selected, Applicants will be required to submit, in their application, 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 Applicant. The letter shall at a minimum provide the dollar amount equal to the cumulative subaward total amount across all proposed Projects.

Prior to entering into the funding agreement, the subgrantee will be required to provide the Performance Bond.

The Performance Bond must be in the format required by MBI as described in the funding agreement, executed by a corporate surety authorized to do business in the Commonwealth of Massachusetts, and in the amount that is no less than one hundred percent (100%) of the cumulative subaward amount. The expense of these bonds shall be borne by the subgrantee.

If Option 2 is selected, Applicants will be required to make a commitment to issue an irrevocable standby letter of credit, compliant with the Model Letter of Credit established by MBI, in a value of no less than twenty-five percent (25%) of the cumulative subaward total amount across all proposed Projects.

Prior to entering into the funding agreement, the subgrantee will need to provide a Letter of Credit from either (i) a bank meeting eligibility requirements consistent with those set forth in 47 C.F.R. § 54.804(c)(2); or (ii) a United States credit union that is insured by the National Credit Union Administration and that has a credit union safety rating issued by Weiss of B- or better. The Letter shall be in the amount of twenty-five percent (25%) of the cumulative subaward amount. The Letter of Credit must be substantially similar to the model letter of credit established by MBI.

In addition to the Letter of Credit, an Opinion Letter must be submitted. The opinion letter from legal counsel must clearly state, subject only to customary assumptions, limitations, and qualifications, that in a proceeding under Title 11 of the United States Code, 11 U.S.C. § 101 et seq. (the "Bankruptcy Code"), the bankruptcy court would not treat the letter of credit or proceeds of the letter of credit as property of the winning Applicant's bankruptcy estate under Section 541 of the Bankruptcy Code.

5.7.3. Project Financial Analysis and Documents

Applicants will be required to populate and upload the provided Project Financials Workbook which will include detailed information covering:

- Capital Costs
- Operating Costs
- Details on Funding Sources and Match
- Capital Investment Schedule
- Project Pro Forma Financials & Cashflow

In addition to the Project Financials Workbook, Applicants will have the option to upload documentation such as business plans and / or any related analyses that supplement the information in the Project Financials Workbook to substantiate the financial sustainability of the proposed Project. The submission of supplemental documentation is optional.

5.8. Project Workforce

5.8.1. Compliance with Federal Labor and Employment Law

Certifications

Applicants will need to certify that their organization, as well as any contractors/subcontractors, have maintained consistent compliance with federal labor and employment laws over the previous three years.

Applicants will be required to provide details of their past compliance, as well as contractors and subcontractors, with federal fair labor laws in accordance with the BEAD NOFO guidelines over the previous three years. Applicants will also need to commit to adhering to federal labor and employment law throughout the life of the BEAD funded asset.

In case of a New Entrant: Applicants will be required to certify their organization's commitment to strong labor and employment standards and protections with respect to BEAD-funded Projects.

Equal Employment Opportunity

Additionally, MBI requires that all subgrantees adhere to Equal Employment Opportunity (“EEO”) practices to promote a fair and inclusive hiring process. Applicants may submit a compliance plan that with appropriate details including, but are not limited to, implementing non-discrimination policies, ensuring inclusive and bias-free recruitment and hiring practices, providing EEO training for staff involved in the hiring process, ensuring accessibility, maintaining transparency in promotion criteria, and establishing a robust complaints and investigations process. Applicants will be required to certify that their organization will comply with all EEO practices to promote a fair and inclusive hiring process.

5.9. Fair Labor Laws and Standards

5.9.1. Prevailing Wage Certifications

Applicants must either (1) certify compliance with **Davis-Bacon Act or the State Prevailing Wage;** or (2) **certify that their organization will submit a report on the Project's employment and local impact** prior to execution of the funding agreement. Applicants have the flexibility to submit any of the following options:

Option 1: Davis-Bacon Act: Certifies that, for the relevant Project, if applicable, all laborers and mechanics employed by contractors and subcontractors in the performance of such Project are paid wages at rates not less than those prevailing, as determined by the U.S. Secretary of Labor in accordance with subchapter IV of chapter 31 of title 40, United States Code (commonly known as the “Davis-Bacon Act”), for the corresponding classes of laborers and mechanics employed on Projects of a character similar to the contract work in the civil subdivision of Massachusetts. Under Option 1, Applicant must also certify compliance with the Service Contract Act requirements, where applicable.

Option 2 : State Prevailing Wage: Certifies that, for the relevant Project, if applicable, all laborers and mechanics employed by contractors and subcontractors in the performance of such Project are paid wages at rates not less than those prevailing for the corresponding classes of laborers and mechanics employed on Projects of a character similar to the contract work in the civil subdivision of Massachusetts, or by the appropriate Massachusetts entity pursuant to a corollary Massachusetts prevailing-wage-in-construction law (commonly known as “baby Davis-Bacon Acts”).

Option 3: Project Employment and Local Impact Report: Certifies that, for the relevant Project, all laborers and mechanics employed by contractors and subcontractors in the performance of such Project will be required to submit the Project Employment and Local Impact Report if the prevailing wage certification is not provided by the applicant.

If Applicants select Option 3, they will be asked to provide a Project employment and local impact report prior to the execution of the funding agreement detailing the following as outlined in the BEAD NOFO:

- The number of contractors and subcontractors working on the Project;
- The number of workers on the Project hired directly and hired through a third party;
- The wages and benefits of workers on the Project by classification; and
- Whether those wages are at rates less than those prevailing.

Note: Certification must be provided from a Director/Officer Level Employee.

5.9.2. Wage, Fringe Benefits and Overtime Payments

Organizational Practices

Applicants will be required to submit information on their organization’s labor and employment practices regarding wage, fringe benefits, and overtime payments, for each class of employees expected to be involved directly in the physical construction of the broadband network. The same information is required for contractors or subcontractors.

Details Applicants shall include in their plan include, but are not limited to, the following:

Wage Information

- Detailed breakdown of base wage rates for different job titles and descriptions.
- Explanation of wage adjustments, such as raises, bonuses, and other pay modifications.

Fringe Benefits

- Descriptions of health and wellness benefits, retirement plans, and paid time off policies.
- Information on additional benefits like life insurance, disability insurance, transportation allowances, and tuition reimbursement.

Overtime Payments

- Explanation of the standard overtime policy, including conditions under which overtime is paid.
- Specific overtime payment rates and the calculation method.
- Details on how overtime hours are tracked, and compliance is ensured.

5.9.3. Workplace Safety

Applicants will be required to provide details of workplace safety plans, including establishing safety committees to voice concerns and cultivate a culture where safety is a top priority for all workers.

Details Applicants should include in their plan include, but are not limited to, the following:

- Hazard identification and assessment
- Hazard prevention and control
- Education and training
- Program evaluation and improvement
- Compliance with safety regulations

- Workplace safety committees (worker representation, committee structure, meeting schedule, communication channels including with management)
- Communicating and coordination for host employers, contractors and staffing agencies

In case Applicants have workplace safety plans already in place that satisfy the requirements listed above, then Applicants will be asked to submit such plans to MBI.

5.10. Compliance

Applicants will be required to confirm whether they are an existing provider or a New Entrant. A “New Entrant” is considered any prospective Applicant that has not provided voice, broadband, and/or electric transmission or distribution service for at least the two (2) consecutive years prior to the date of its application.

Applicants that have provided voice and/or broadband services must submit a certification verifying that they have timely filed FCC Form 477s and Broadband DATA Act submissions, if applicable, for at least the two consecutive years prior to the date of this application submission. Furthermore, the certification must confirm that they have complied with the Federal Communications Commission’s rules and regulations.

Applicants will be required to describe any pending or completed enforcement action, civil litigation, or other matter in which they have failed to comply or was alleged to have failed to comply with Commission rules or regulations related to the Commission Form 477s and the Broadband DATA Act submission.

Applicants will be required to certify that their organization is capable of carrying out funded activities competently and in compliance with all applicable federal, state, territorial, and local laws.

Note: Certification must be provided by a Director/Officer Level Employee.

5.11. Funding Agreement Modifications

If the Applicant intends to propose modifications to the Funding Agreement referenced in Section 4.6.5, the Applicant must identify the provisions to which the Applicant takes exception and propose alternative language for MBI’s consideration.

5.12. Additional Certifications

Applicants will be required to certify compliance with the following:

- That the application is true, complete, and accurate, and the designs, costs and Project plans are for the purposes and objectives set forth in the terms and conditions of the Federal award. Organization is aware that any false, fictitious, or fraudulent information, or the omission of any material fact, may subject to criminal, civil or administrative penalties for fraud, false statements, false claims or otherwise.
- That bids were developed independently and without coordination or collusion with other prospective Applicants. Evidence of collusion may lead to denial of awards.
- Confirm the organization's eligibility to complete and operate the Project by certifying their operational capability. Such evidence of operational capability may include resumes from key personnel, Project descriptions and narratives from contractors, subcontractors, or other partners with relevant operational experience, or other comparable evidence.
- That their organization will be able to provide on request written evidence of compliance with Section 60102(g)(2)(C) of the Infrastructure Act regarding the use of funds in an equitable and nondiscriminatory manner.

- That their organization will be able to provide, on request, written evidence of compliance with Uniform Administrative Requirements, Cost Principles and Audit Requirements including Uniform Guidance waivers.
- That their organization will be able to provide, on request, written evidence of compliance with all applicable provisions of the Code of Federal Regulations relative to managing BEAD funding as a subrecipient of federal funding.
- The requirements detailed in 2 CFR 200.216 (the prohibition on certain telecommunications and video surveillance services or equipment):
 - That organization understands and may not use grant funds received under the BEAD Program to purchase or support any covered communications equipment or service (as defined in Section 9 of the Secure and Trusted Communications Networks Act of 2019 (47 U.S.C. § 1608)).
 - That the organization will not procure, obtain, extend or renew a contract to procure or obtain or enter a contract to procure or obtain equipment, services, or systems that uses covered telecommunications equipment or services as a substantial or essential component of any system, or as critical technology as part of any system
 - That the organization acknowledges that the use of grant funds received under the BEAD Program to purchase or support any covered communications equipment or service (as defined in Section 9 of the Secure and Trusted Communications Networks Act of 2019 (47 U.S.C. § 1608)). telecommunications or video surveillance services provided by such entities or using such equipment is prohibited.
 - That the organization understands that for the purposes of public safety, security of government facilities, physical security surveillance of critical infrastructure, and other national security purposes, video surveillance and telecommunications equipment produced by Hytera Communications Corporation, Hangzhou Hikvision Digital Technology Company, or Dahua Technology Company (or any subsidiary or affiliate of such entities) are also prohibited.
 - That the organization understands that telecommunications or video surveillance equipment or services produced or provided by an entity that the Secretary of Defense, in consultation with the Director of the National Intelligence or the Director of the Federal Bureau of Investigation, reasonably believes to be an entity owned or controlled by, or otherwise connected to, the government of a covered foreign country is prohibited.
 - That the organization understands that if any equipment is installed on a federally funded Project, my organization will bear the sole responsibility and cost of removing the prohibited equipment and replacing it with equipment acceptable to the State and Federal government.
- That submission of organization's proposals will provide the certification set out in Section V.D of the BEAD NOFO (Certifications Regarding Debarment and Suspension), as well as agreement to comply with the requirements of 2 C.F.R. Parts 180, 1200 and 1326.

Applicants will also be required to acknowledge the following:

- That the grant application creates a binding obligation if accepted by MBI and cannot be withdrawn once submitted until MBI announces the conclusion of the BEAD award process.
- Your organization acknowledges that MBI reserves the right to request modifications and/or attach conditions to BEAD awards.
- That the organization agrees and understands that the state may, prior to final subgrant awards, unilaterally exclude certain BSLs from a subgrant.
- That subgrantees are required to participate in MBI's data collection and mapping efforts by providing MBI with a copy of the subgrantee's broadband availability data as submitted to the FCC on a semi-

annual basis under the FCC’s Broadband Data Collection program. The subgrantee shall submit the broadband availability data to MBI within 10 business days of the grantee’s submission of such data to the FCC. Grantees shall also be required to respond to requests from MBI to provide supplemental clarifying information and/or data.

6. Scoring Criteria

Applicants will have the opportunity to score up to a total of 200 points (Points will be awarded in the following categories:

Table 3: Priority Broadband Projects Scoring Rubric

Primary Criteria:			
Minimal BEAD Program Outlay	To determine the BEAD funding needed for a project, both projected costs and the subgrantee's proposed match (minimum 25% of project cost) will be accounted for. Points or credits will increase as BEAD costs decrease. MBI shall also consider the cost per location and any factors that may impact the project's scalability or resilience.	30% (60 points)	75% (150 points)
Affordability	The prospective subgrantee's commitment to provide the most affordable total price to the customer for 1 Gbps/1 Gbps service in the project area.	30% (60 points)	
Fair Labor Practices	MBI shall prioritize projects based on prospective subgrantees' compliance with federal labor and employment laws. New entrants without a compliance record may make specific commitments to strong labor and employment standards to mitigate this. Section IV.C.1.e of the BEAD NOFO provides more details about this prioritization requirement.	15% (30 points)	
Secondary Criteria:			
Speed To Deployment	All subgrantees that receive BEAD Program funds for network deployment 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 years after the date on which the subgrantee executes a contract with MBI. MBI shall give secondary criterion prioritization weight to the prospective subgrantee's binding commitment to provide service by an earlier date certain, subject to contractual penalties to MBI, with greater benefits awarded to applicants promising an earlier service provision date.	5% (10 points)	25% (50 points)
Serving CAIs	Servicing CAIs as part of Round One projects will not be mandatory but is strongly encouraged and incentivized by MBI. This scoring criteria will assess the percentage of CAIs within the project area that will be served as part of the proposed project.	5% (10 points)	
Low-Cost Plans	MBI will allocate points for committed service pricing of the low-cost plan below \$30/month.	10% (20 points)	

Serving MDUs at Enterprise Level	This scoring criteria will award points if applicants plan to offer service at an enterprise level for MDUs. Full points will be awarded if the applicant can commit to offering this service option.	5% (10 points)	
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Table 4: Other Last-Mile Broadband Projects Scoring Rubric

Primary Criteria:			
Minimal BEAD Program Outlay	To determine the BEAD funding needed for a project, both projected costs and the subgrantee's proposed match (minimum 25% of project cost) will be accounted for. Points or credits will increase as BEAD costs decrease. MBI shall also consider the cost per location and any factors that may impact the project's scalability or resilience.	32.5% (65 points)	75% (150 points)
Affordability	Prospective subgrantee's commitment to providing the most affordable 100/20 Mbps service in the proposed area.	32.5% (65 points)	
Fair Labor Practices	MBI shall prioritize projects based on prospective subgrantees' compliance with federal labor and employment laws. New entrants without a compliance record may make specific commitments to strong labor and employment standards to mitigate this. Section IV.C.1.e of the BEAD NOFO provides more details about this prioritization requirement.	10% (20 points)	
Secondary Criteria:			
Speed of Network and Other Technical Capacities	Applications proposing easily scalable technologies with longer asset cycles and lower future investment will be favored over those with costlier upgrades and shorter asset cycles.	5% (10 points)	25% (50 points)
Speed To Deployment	All subgrantees that receive BEAD Program funds for network deployment 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 years after the date on which the subgrantee executes a contract with MBI. MBI shall give secondary criterion prioritization weight to the prospective subgrantee's binding commitment to provide service by an earlier date certain, subject to contractual penalties to MBI, with greater benefits awarded to applicants promising an earlier service provision date.	4% (8 points)	
Serving CAIs	Servicing CAIs as part of Round One projects will not be mandatory but is strongly encouraged and incentivized by MBI. This scoring criteria will assess the percentage of CAIs within the project area that will be served as part of the proposed project.	4% (8 points)	
Low-Cost Plans	MBI will allocate points for committed service pricing of the low-cost plan below \$30/month.	8%	

		(16 points)	
Serving MDUs at Enterprise Level	This scoring criteria will award points if applicants plan to offer service at an enterprise level for MDUs. Full points will be awarded if the applicant can commit to offering this service option.	4% (8 points)	

Applicants must score at least one hundred and twenty (120) points to be eligible for a grant award. Applications receiving less than one hundred and twenty (120) points will be disqualified.

6.1. Primary Criteria

6.1.1. Minimal Bead Program Outlay (Up to 60 points for Priority Broadband Project and 65 points for Other Last Mile Deployment Project)

MBI will prioritize proposals that minimize BEAD funding requirements. The requested funding will be assessed by both the total proposed cost of the project and the subgrantee's proposed match, which must account for at least 25% of the project cost unless waived.

As the BEAD costs decrease, there will be an increase in points awarded. MBI's scoring rubric awards points based on a comparison of project cost to an internal cost estimate with points varying over a range of 25% below to 25% above the internal cost estimate. The internal cost estimates used by MBI for this comparison will be based on NTIA's CostQuest data adjusted using a single statewide multiplier to reflect updated deployment costs and subsidy requirements. The multiplier will be informed by awards made under MBI's Capital Projects Fund ("CPF") Gap Networks Grant Program. Specifically, MBI will calculate:

- The total grant cost of all awarded CPF Gap Networks projects as of the time that BEAD subgrantee selection gets underway. Let this quantity be called Y.
- The total cost to serve all locations covered by the awarded CPF Gap Networks projects, according to CostQuest data, using fiber technology. Let this quantity be called X.
- The ratio of CPF grant costs to the CostQuest cost estimates for CPF-covered locations, or Y/X.

This quantity will become the multiplier. The purpose of the multiplier is to align the cost basis for comparing projects to market conditions so that the most cost-efficient applications will receive the most points. The internal cost estimates should be set so that proposed project costs statewide will generally fall within the +/- 25% range in the scoring rubric.

Applicants will be asked to specify the total project cost, total grant amount requested, and total match amount as outlined in Table 5 below, which will be accessible via the Submittable Application Portal.

Table 5: Minimal BEAD Program Outlay

Applicants must provide the below information:

Category	Total
Total Project Cost	\$ -
Total Grant Amount Requested	\$ -
Total Match Amount	\$ -
Total Match Percentage (Must be Min. of 25% w/o waiver)	%

Applicants will be required to detail the contributions used for their funding match. MBI will require Applicants to provide:

- Amount of the match contribution
- Percentage of the match contribution
- Sources (state, federal, loan, cash, and in-kind contributions)

Note MBI has a preference for state, federal, loans and cash match over in-kind match. In-kind match is capped at 15%.

- Documentation to support verification of the match contributions

Applicants will be required to confirm if the applicant is applying for a match waiver, and if so must provide a description of the special circumstances underlying the reason it is not feasible to provide the minimum match requirement of 25%, documenting any efforts made to obtain matching fund commitments for the project from capital funding sources and explaining how a waiver would serve the public interest and advance the goals of the BEAD Program. Match waivers are not guaranteed, and MBI may request further information to assist in making its determination.

Applicants will need to confirm if their Project Area includes high-cost regions as defined by the NTIA. You can find the list of high-cost areas at the following link: [List of High-Cost Areas](#).

In-Kind Matching Funds

Up to 15% of the matching funds may be provided in the form of in-kind contributions, if 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. The program allows for in-kind matches from non-federal sources, such as private entities, state and local governments, and tribal governments that can be used to cover the costs of construction of broadband infrastructure.

Depending on the particular property or service and the applicable federal cost principles, in-kind match could include:

- Employee or volunteer services;
- Equipment;
- Supplies;
- Indirect costs;
- Computer hardware and software; items that were purchased no later than 1 year prior to the execution of the grant agreement; and
- Use of facilities.

In the broadband context this could also include, consistent with federal cost principles:

- Access to rights of way;
- Pole attachments;
- Conduits;
- Easements; or
- Access to other types of infrastructure.

The following scoring rubric will be used for evaluating Minimal Bead Program Outlay – Table 6 relates to Priority Broadband Projects and Table 7 relates to Other Last-Mile Broadband Projects:

Table 6: Priority Broadband Project – Minimal BEAD Program Outlay Scoring Rubric

Total project cost: 20 points

Criteria	Score
Project cost is > +25% of cost estimate	0
Project cost is +25% to + 16% of cost estimate	5
Project cost is +15% to 0% of cost estimate	7
Project cost is -0.1% to -15% of cost estimate	10
Project cost is -16% to -25% of cost estimate	15
Project cost is < -25% of cost estimate	20

Grant to Project Cost (ratio of requested grant funds): 40 points

Criteria	Score
> 65% to ≤ 75% of Total Project Cost	0
> 55% to ≤ 65% of Total Project Cost	8
> 45% to ≤ 55% of Total Project Cost	16
> 35% to ≤ 45% of Total Project Cost	24
> 25% to ≤ 35% of Total Project Cost	32
≤ 25% of Total Project Cost	40

Table 7: Other Last-Mile Broadband Project – Minimal BEAD Program Outlay Scoring Rubric

Total project cost: 20 points

Criteria	Score
Project cost is > +25% of cost estimate	0
Project cost is +25% to + 16% of cost estimate	5
Project cost is +15% to 0% of cost estimate	7
Project cost is -0.1% to -15% of cost estimate	10
Project cost is -16% to -25% of cost estimate	15
Project cost is < -25% of cost estimate	20

Grant to Project Cost (ratio of requested grant funds): 45 points

Criteria	Score
> 65% to ≤ 75% of Total Project Cost	0
> 55% to ≤ 65% of Total Project Cost	9
> 45% to ≤ 55% of Total Project Cost	18
> 35% to ≤ 45% of Total Project Cost	27
> 25% to ≤ 35% of Total Project Cost	36
≤ 25% of Total Project Cost	45

Additional information on match requirements

Funds from other Federal programs (including funds from the Commission’s Universal Service Fund programs) generally may not be used as matching funds; however, the Infrastructure Act expressly provides that matching funds for the BEAD Program may come from a federal regional commission or authority and from funds that were provided to an Eligible Entity or a subgrantee for the purpose of deploying broadband service under the Families First Coronavirus Response Act (Public Law 116-127; 134 Stat. 178); the CARES Act (Public Law 116-136; 134 Stat. 281), the Consolidated Appropriations Act, 2021 (Public Law 116-260; 134 Stat. 1182); or the American Rescue Plan Act of 2021 (Public Law 117-2; 135 Stat. 4), to the extent permitted by those laws.

In evaluating requests for waiver of the BEAD Program’s non-federal match requirement, NTIA will carefully balance the Program’s various objectives. It is NTIA’s policy to ensure that BEAD funds are used to bring affordable broadband to all Americans. Thus, the Assistant Secretary will generally seek to minimize the BEAD funding outlay on a particular Project to extend the Program’s reach, and expects to grant waivers only in special circumstances, when waiver is necessary to advance objectives that are critical to the Program’s success.

Match requirement cannot be waived without approval from the Assistant Secretary unless in NTIA designated high-cost areas (for a list of NTIA designated high-cost areas, see the NTIA list: High-Cost Areas).

6.1.2. Affordability (Up to 60 points for Priority Broadband Project and 65 points for Other Last Mile Deployment Project)

MBI will prioritize proposals that commit to offer affordable broadband service. Each Applicant’s plans for implementation must include a specific price point, subject only to increases in line with consumer price inflation, the lower the price point the Applicant is willing to commit to, the more points will be awarded.

In case an Applicant is submitting Application for Priority Broadband Projects:

Applicants will be required to provide the most affordable total price to the customer for 1 Gbps/1 Gbps service in the Project Area, for the life of the BEAD funded network, allowing for increases aligned to inflation.

This category scores Priority Broadband Projects based on the prospective subgrantee’s commitment to providing the most affordable total price to the customer for 1 Gbps/1 Gbps service in the Project Area, for the life of the BEAD funded network, allowing for increases aligned to inflation, as follows. Inflation rates

should be based on the annual percentage change of the FCC urban benchmark rate² for the same Service (1 Gbps symmetrical with no data cap).

A tiered rubric will be used to assess plan prices, whereby points will be allotted based on price analysis.

Table 8: Scoring Rubric for Priority Broadband Project: 60 Points

Criteria	Score
> \$100.00/month	0
\$100.00-\$95.00/month	25
\$94.99-\$90.00/month	30
\$89.99-\$85.00/month	40
\$84.99-\$80.00/month	50
<\$80/month	60

In case an Applicant is submitting an Application for Other Last-Mile Deployment Projects):

Applicants will be required to provide the most affordable total price to the customer for 100 Mbps/20 Mbps service in the Project Area, for the life of the BEAD funded network, allowing for increases aligned to inflation.

This category scores Non-Priority Broadband Projects based on the prospective subgrantee's commitment to providing the most affordable total price to the customer for 100 Mbps/20 Mbps service in the Project Area, for the life of the BEAD funded network, allowing for increases aligned to inflation, as follows. Inflation rates should be based on the annual percentage change of the FCC urban benchmark rate³ for the same Service (100 Mbps/20 Mbps symmetrical with no data cap).

A tiered rubric will be used to assess plan prices, whereby points will be allotted based on price analysis.

Table 9: Scoring Rubric for Non-Priority Broadband Project: 65 Points

Criteria	Score
> \$75.00/month	0
\$75.00-\$70.00/month	30
\$69.99-\$65.00/month	35
\$64.99-\$60.00/month	45
\$59.99-\$50.00/month	55
<\$50/month	65

² <https://www.fcc.gov/economics-analytics/industry-analysis-division/urban-rate-survey-data-resources>

³ <https://www.fcc.gov/economics-analytics/industry-analysis-division/urban-rate-survey-data-resources>

6.1.3. Fair Labor Practices (Up to 30 points for Priority Broadband Project and 20 points for Other Last Mile Deployment Project)

The following tables set forth the scoring rubrics for Priority Broadband Projects (Table 10) and Other Last-Mile Broadband Projects (Table 11) that will be used by MBI to incentive and assess each applicant’s commitment to adopt broad and robust labor and employment standards. The applicant will need to comply with the submission requirements listed below to receive any of the associated available points as specified in the tables below.

Table 10: Scoring Rubric for Priority Broadband Project: 30 Points

Criteria	Score
Using a directly employed workforce, as opposed to a subcontracted workforce	3
Paying prevailing wages and benefits to workers, including compliance with Davis Bacon and Service Contract Act requirements	3
Using project labor agreements (i.e., pre-hire collective bargaining agreements between unions and contractors that govern terms and conditions of employment for all workers on a construction project)	3
Use of local hire provisions	3
Commitments to union neutrality	3
Use of labor peace agreements	3
Provide evidence of an appropriately skilled workforce using one of the following examples: through Registered Apprenticeships or other joint labor-management training programs that serve all workers, particularly those underrepresented or historically excluded, etc.	3
Demonstrated commitment to engage with and recruit historically underrepresented populations	3
Provide evidence of an appropriately credentialed workforce using one of the following examples: satisfying requirements for appropriate and relevant pre-existing occupational training, certification, and licensure, etc.	3
Provide evidence of a plan to prevent the misclassification of workers	3

Table 11: Scoring Rubric for Other Last-Mile Broadband Project: 20 Points

Criteria	Score
Using a directly employed workforce, as opposed to a subcontracted workforce	2

Criteria	Score
Paying prevailing wages and benefits to workers, including compliance with Davis Bacon and Service Contract Act requirements	2
Using project labor agreements (i.e., pre-hire collective bargaining agreements between unions and contractors that govern terms and conditions of employment for all workers on a construction project)	2
Use of local hire provisions	2
Commitments to union neutrality	2
Use of labor peace agreements	2
Provide evidence of an appropriately skilled workforce using one of the following examples: through Registered Apprenticeships or other joint labor-management training programs that serve all workers, particularly those underrepresented or historically excluded, etc.	2
Provide evidence of an appropriately credentialed workforce using one of the following examples: satisfying requirements for appropriate and relevant pre-existing occupational training, certification, and licensure, etc.	2
Provide evidence of a plan to prevent the misclassification of workers	2
Demonstrated commitment to engage with and recruit historically underrepresented populations	2

6.1.3.1. Workforce Arrangement

Applicants will have the opportunity to provide details on their organization’s plan on directly employing the workforce, hiring a subcontracted workforce, or utilizing a combination to perform work for the proposed Project.

6.1.3.2. Prevailing Wages

An applicant may submit a plan outlining their approach to maintaining compliance within and adherence to applicable laws governing employee wages and benefits, including compliance with the Davis-Bacon Act and the Service Contract Act requirements. The plan shall also address collecting and compiling the necessary certified payrolls, when applicable.

Details Applicants should include in their plan include, but are not limited to the following:

- Compliance objectives
- Identification of applicable laws and regulations
- Compliance approach (policy development, payroll management, and certified payroll reporting etc.)
- Policy development and communication (including training)
- Wage determination process

- Payroll management and compliance (systems and procedures)
- Training and monitoring
- Monitoring and auditing
- Management of non-compliance

6.1.3.3. Project Labor Agreement

Applicants will be required to indicate whether the Project will include a Project labor agreement, meaning a pre-hire collective bargaining agreement consistent with section 8(f) of the National Labor Relations Act (29 U.S.C. 158(f)) that outlines their dedication to employing Project labor agreements.

6.1.3.4. Local Hires

Applicants will be required to confirm whether the Project will prioritize local hires.

If an applicant plans to prioritize local hires, they will be required to provide a narrative on their organization’s approach to prioritizing local hires on proposed Project.

6.1.3.5. Union Neutrality

Applicants will be required to confirm whether they have a commitment to union neutrality.

If an applicant commits to union neutrality, the applicant will be required to provide details on how their organization educates workers about their rights and obligations related to union neutrality.

6.1.3.6. Labor Peace Agreements

Applicants will be required to confirm whether they intend to use labor peace agreements to ensure BEAD deployment Project schedule remains on-track.

If an applicant commits to use labor peace agreements, the Applicant will be required to describe how their organization plans to use labor peace agreements, if at all, to ensure BEAD deployment project schedule remains on-track.

6.1.3.7. Appropriately Skilled Workforce

Applicants will be required to provide their approach to ensure the employment of an appropriately skilled workforce. Examples include training programs such as joint labor-management initiatives or Registered Apprenticeships, with a particular focus on groups that have historically been underrepresented.

6.1.3.8. Historically underrepresented populations

Additionally, Applicants will be required to provide their approach to engage with and recruit historically underrepresented populations.

6.1.3.9. Appropriately Credentialed Workforce

Applicants will be required to provide their approach to ensure that the workforce has the appropriate credentials and certifications, as applicable, to technical duties and responsibilities. The approach must describe plans for verifying educational and professional credentials, ensuring that the BEAD workforce possesses the necessary skills.

6.1.3.10. Misclassification of Workers

Applicants will be required to provide their approach to prevent the misclassification of workers.

6.2. Secondary Criteria

6.2.1. Speed to Deployment (Up to 10 points for Priority Broadband Project and 8 points for Other Last Mile Deployment Project)

Applicants will be required to provide a proposed project schedule for network deployment for the planned broadband network to each customer that desires broadband services within the Project Area. Tables 12 and 13 outline the scoring for months to deployment.

Table 12: Scoring Rubric for Priority Broadband Project: 10 Points

Criteria	Score
>42 months	0
36 - 42 months	2.5
30 - < 36 months	5
24 - < 30 months	7.5
< 24 months	10

Table 13: Scoring Rubric for Other Last-Mile Broadband Project: 8 points

Criteria	Score
>42 months	0
36 - 42 months	2
30 - < 36 months	4
24 - < 30 months	6
< 24 months	8

6.2.2. Speed of Network and Other Technical Capacities: Applies only to Other Last Mile Deployment Projects. (Up to 10 points for Other Last Mile Deployment Project)

Technology and Performance

Applicants applying for Other-Last Mile Deployment Projects will be required to confirm the proposed minimum speed commitment for the delivery of internet connectivity to the end user premises. The list of applicable speed commitments include:

Table 14: Scoring Rubric for Other Last-Mile Broadband Project: 5 Points

Criteria	Score
Minimum 100 download / 20 upload (Mbps), maximum latency 100ms	0

Criteria	Score
Minimum 200 download / 50 upload (Mbps), maximum latency 100ms	2
Minimum 400 download / 100 upload (Mbps), maximum latency 100ms	3
Minimum 1000 download / 250 upload (Mbps), maximum latency 100ms	4
Minimum 1000 download / 1000 upload (Mbps), maximum latency 100ms	5

Applicants applying for Other Last-Mile Deployment Projects will be required to confirm the applicable network technologies that their organization proposes to use for this Other Last-Mile Deployment Project. The list of applicable network technologies include:

Table 15: Scoring Rubric for Other Last-Mile Broadband Project: 5 Points

Criteria	Score
Low Earth (LEO) satellite	0
Wireless using unlicensed spectrum	1
Wireless using licensed spectrum	2
Hybrid fiber coaxial (HFC)	3
Fiber to the Home (FTTH)	5

6.2.3. Serving CAIs (Up to 10 points for Priority Broadband Project and 8 points for Other Last Mile Deployment Project)

Applicants will be required to provide the total percentage of CAIs in the municipality for which you are applying that will be offered gigabit symmetric service. Applicants will be required to utilize the list of presumptively eligible CAIs posted by MBI. Applicants will be required to validate that each CAI to be included in a proposed PSA does not have access to one gigabit symmetric service as of the date of submission of an application.

Table 16: Scoring Rubric for Priority Broadband Project: 10 Points

Criteria	Score
0%	0
1% to 49%	2.5
50% to 74%	5
75% to 99%	7.5
100%	10

Table 17: Scoring Rubric for Other Last-Mile Broadband Project: 8 Points

Criteria	Score
0%	0
1% to 49%	2
50% to 74%	4
75% to 99%	6
100%	8

6.2.4. Low-Cost Plans (Up to 20 points for Priority Broadband Project and 16 points for Other Last Mile Deployment Project)

Since the Affordable Connectivity Program (ACP) has been discontinued, awardees will be required to develop and administer their own Low-Cost Broadband Service Plans. Affordable service is a top priority for MBI. As described in the BEAD NOFO Section IV.C.2.c.i, all BEAD-eligible subgrantees will be required to offer a low-cost broadband service option. MBI has adopted a similar low-cost broadband service option definition as outlined in the BEAD NOFO to fulfill this requirement.

- Post-Affordable Connectivity Plan (ACP), a total cost of \$30 per month or less must be offered to eligible end users, including in Tribal areas;
- Allows the end user to apply the subsidy from any ACP successor program;
- Provides the greater of (a) typical download speeds of at least 100 Mbps and typical upload speeds of at least 20 Mbps, or the fastest speeds the infrastructure is capable of if less than 100 Mbps/20 Mbps or (b) the performance benchmark for fixed terrestrial broadband service established by the Federal Communications Commission pursuant to Section 706(b) of the Communications Act of 1934, as amended;
- 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; and
- In the event, the provider 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 no cost.

Applicants will be required to provide their monthly low-cost plan inclusive of all taxes, fees, and charges with no additional non-recurring costs or fees to the consumer.

Table 18: Scoring Rubric for Priority Broadband Project: 20 Points

Criteria	Score
> \$30.00/month (low-cost plans exceeding \$30/month do not comply with BEAD requirements)	0
\$30.00-\$20.00/month	10

\$19.99-\$10.00/month	15
<\$10.00/month	20

Table 19: Scoring Rubric for Other Last-Mile Broadband Project: 16 Points

Criteria	Score
> \$30.00/month (low-cost plans exceeding \$30/month do not comply with BEAD requirements)	0
\$30.00-\$20.00/month	4
\$19.99-\$10.00/month	10
<\$10.00/month	16

6.2.5. Serving MDUs at the Enterprise Level (Up to 10 points for Priority Broadband Project and 8 points for Other Last Mile Deployment Project)

Applicants will be required to select, from the below options regarding the duration for the Enterprise Level Agreements that they intend to offer:

Table 20: Scoring Rubric for Priority Broadband Project: 10 points

Criteria	Score
Organization does not commit to offer Enterprise Level Agreement	0
Commitment to offer Enterprise Level Agreements for 5 years	2
Commitment to offer Enterprise Level Agreements for 10 years	5
Commitment to offer Enterprise Level Agreements for the life of the BEAD funded network	10

Table 21: Scoring Rubric for Other Last-Mile Broadband Project: 8 points

Criteria	Score
Organization does not commit to offer Enterprise Level Agreement	0
Commitment to offer Enterprise Level Agreements for 5 years	2
Commitment to offer Enterprise Level Agreements for 10 years	5
Commitment to offer Enterprise Level Agreements for the life of the BEAD funded network	8

7. Post Application Processes

7.1. Application Evaluation

While MassTech and MBI staff will assist EOED through a sub-grant with the administration and programmatic execution of the BEAD program including the management of contractors and subgrantees, throughout this subgrantee relationship, EOED will retain the oversight of the programs and will make all final decisions and oversee program implementation.

7.2. Evaluation Committee

MBI has formed an Evaluation Committee comprised of at least three MBI/MassTech employees familiar with the solicitation. The committee will review each application for completeness and will reject incomplete applications and will evaluate and score each application in alignment with the BEAD NOFO requirements and Massachusetts BEAD Initial Proposal VII. Applicants should not rely on an opportunity to supplement or clarify information after the application deadline and should take care to include all information requested in a clear and understandable manner.

Based on the scoring, the Evaluation Committee will recommend that the highest qualified Applicant(s) receive funding.

7.2.1. Threshold Review

The Evaluation Committee will conduct a threshold review of each application for completeness and compliance with the requirements in this Solicitation and will reject incomplete/non-conforming applications. The threshold requirements are outlined in Section 5.

The Evaluation Committee will evaluate Applications that pass threshold review in alignment with BEAD NOFO requirements, and the scoring rubric published in this solicitation.

7.2.2. Application Scoring

Refer to Priority Broadband Project scoring rubric and Other Last-Mile Deployment Project scoring rubric in Section 6.

7.3. Monitoring and Reporting Requirements

MBI will engage in the monitoring of subgrantee activities to ensure subawards are used for authorized purposes, in compliance with federal statutes, regulations, and the terms and conditions of the subaward. MBI intends to employ a robust subgrantee monitoring program that will consist of risk assessments, quarterly subgrantee reporting, random sampling of subgrantee files, corrective action policies and post-contracting support to ensure subgrantees can meet all required BEAD compliance reporting and activities.

7.3.1. Monitoring Practices

MBI intends to engage in the following monitoring activities for subgrantees activities including, but not limited to:

1. Coordination with subgrantees through individual discussions, group or team meetings, events or trainings.
2. Reviewing financial and programmatic reports including invoices and progress and outcome reports in alignment with contractual obligations.
3. Conducting an annual Subgrantee Assessment, verifying that every subgrantee is audited as required by 2 CFR Part 200, Subpart F.

4. Conducting follow-up to ensure that the subgrantee takes timely and appropriate action on all deficiencies pertaining to the federal award through audits, on-site reviews, and other means.
5. Issuing management decisions for audit findings pertaining to the federal award that have not been sufficiently addressed in a timely or acceptable manner and consider imposing specific subaward conditions upon a subgrantee, if appropriate, based on risk failure to comply as described in 2 CFR 200 Parts 339 to 343.

Other potential monitoring tools per 2 CFR 200 Part 331(e) that MBI may utilize include:

1. Providing training and technical assistance
2. Performing on-site reviews of program operations
3. Developing Remediation and Improvement Plans on the basis of internal, federal, and state audits

Additionally, based upon the on-going monitoring that will be conducted, MBI will perform subaward reviews which at a minimum include a discussion with the Program Manager regarding subgrantee performance, status, and inquiry on whether the subgrantee has met the thresholds requiring an audit under the current 2 CFR Part 200, Subpart F.

If an audit is required, MBI will ensure the subgrantee submits the report, report package or the documents required by federal regulations and/or recipient's requirements and follow up on any findings or issues identified in the audit to ensure they have been satisfactorily addressed.

If any additional findings are identified by the MBI review, MBI will implement appropriate requirements to ensure the contractual obligations, and all requirements are met. To the extent any issues persist, escalation to the legal and program teams may be necessary.

7.3.2. Reporting Mandates

Subgrantees will be mandated to submit reports on the Project status and performance on a quarterly basis. Additionally, subgrantees are required to engage in a financial review alongside MBI on either a 3- month, 6- month, or annual basis, with the cadence determined based on the results of a risk assessment. MBI reserves the right to increase the frequency of the reporting and financial review and conduct an on-site review if any issues or concerns are identified.

Subgrantees will also be required to comply with the reporting requirements as outlined in the BEAD NOFO and other guidance as may be issued by NTIA from time to time. These regular reports must be submitted at least on a semiannual basis for the duration of the subgrant. Subgrantees will be required to submit project-related information necessary to comply with the BEAD reporting requirements, which includes but is not limited to:

- Include a list of addresses or location identifications (including the Broadband Serviceable Location Fabric established under 47 U.S.C. 642(b)(1)(B)) that constitute the service locations that will be served by the broadband infrastructure to be constructed and the status of each Project;
- Identify new locations served within each Project Area at the relevant reporting intervals, and service taken (if applicable);
- Identify whether each address or location is residential, commercial, or a community anchor institution;
- Describe the types of facilities that have been constructed and installed;
- Describe the peak and off-peak actual speeds of the broadband service being offered;
- Describe the maximum advertised speed of the broadband service being offered;
- Describe the non-promotional prices, including any associated fees, charged for different tiers of broadband service being offered;
- List all interconnection agreements that were requested, and their current status;

- Report the number and size of contracts and subcontracts awarded by the subgrantee disaggregated by recipients of each such contract or subcontracts that are MBEs or WBEs;
- Include any other data that would be required to comply with the data and mapping collection standards of the Commission under Section 1.7004 of title 47, Code of Federal Regulations, or any successor regulation, for broadband infrastructure Projects;
- Include an SF-425, Federal Financial Report and meet the requirements described in the Department of Commerce Financial Assistance Standard Terms and Conditions (dated November 12, 2020), Section A.01 for Financial Reports.

Please note that all reports submitted to MBI are considered public records, which are subject to Chapter 66 of the Massachusetts General Laws.

7.4. General Conditions

- a. If an application fails to meet any material terms, conditions, requirements or procedures, it may be deemed unresponsive and disqualified. The Mass Tech Collaborative reserves the right to waive omissions or irregularities that it determines to be not material.
- b. This Program Application Guide, as may be amended from time to time by Mass Tech Collaborative, does not commit Mass Tech Collaborative to select any firm(s), award any contracts for services pursuant to this Program Application Guide, or pay any costs incurred in responding to this Program. Mass Tech Collaborative reserves the right, in its sole discretion, to withdraw the Program, to engage in preliminary discussions with prospective Applicants, to accept or reject any or all Applications received, to request supplemental or clarifying information, to negotiate with any or all qualified Applicants, and to request modifications to Applications in accordance with negotiations.
- c. On matters related solely to this Program Application Guide that arise prior to an award decision by the Mass Tech Collaborative, Respondents shall limit communications with the Mass Tech Collaborative to the Procurement Team Leader and such other individuals as the Mass Tech Collaborative may designate from time to time. No other Mass Tech Collaborative employee or representative is authorized to provide any information or respond to any questions or inquiries concerning this Program. Applicants may contact the Procurement Team Leader for this Program in the event this Program Application Guide is incomplete.
- d. The Mass Tech Collaborative may provide reasonable accommodations, including the provision of materials in an alternative format, for Applicants with disabilities or other hardships. Applicants requiring accommodations shall submit requests in writing, with supporting documentation justifying the accommodations, to the Procurement Team Leader. The Mass Tech Collaborative reserves the right to grant or reject any request for accommodations.
- e. Applicant's Application shall be treated by the Mass Tech Collaborative as an accurate statement of Applicant's capabilities and experience. Should any statement asserted by Applicant prove to be inaccurate or inconsistent with the foregoing, such inaccuracy or inconsistency shall constitute sufficient cause for Mass Tech Collaborative in its sole discretion to reject the Application and/or terminate of any resulting Agreement.
- f. Costs that are not specifically identified in the Applicant's response and/or not specifically accepted by Mass Tech Collaborative as part of the Agreement will not be compensated under any contract awarded pursuant to this Program Application Guide.
- g. Submitted responses must be valid in all respects for a minimum period of sixty (60) days after the deadline for submission.
- h. The MassTech Collaborative embraces a workplace where the values of diversity and inclusion support varying perspectives and backgrounds to produce a richer environment. MassTech expects Applicants as well as all our consultants, contractors and vendors, to demonstrate a similar commitment and, pursuant to 2 C.F.R. § 200.321(a), take all necessary affirmative steps to assure that minority businesses, women's business enterprises, and labor surplus area firms are used when possible. The MassTech Collaborative's prior approval is required for any subcontracted services under any Agreement entered into as a result of this Program Application Guide. If Applicant will be subcontracting under this

Program, affirmative steps must include at least the following six steps: 1. Placing qualified small and minority businesses and women’s business enterprises on solicitation lists; 2. Assuring that small and minority businesses and women’s business enterprises are solicited whenever they are potential sources; 3. Dividing total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by small and minority businesses, and women’s business enterprises; 4. Establishing delivery schedules, where the requirement permits, which encourage participation by small and minority businesses, and women’s business enterprises; 5. Using the services and assistance, as appropriate, of such organizations as the Small Business Administration and the Minority Business Development Agency of the Department of Commerce; and 6. Requiring all subcontractors to take the same affirmative steps as listed in numbers 1 through 5. The selected Applicant is responsible for the satisfactory performance and adequate oversight of its subcontractors. Subcontractors are required to meet the same requirements and are held to the same reimbursable cost standards as the selected Applicant.

i. Applicant shall not discriminate against any qualified employee or Applicant for employment because of race, color, national origin, ancestry, age, sex, religion, physical or mental handicap, or sexual orientation. Applicants shall comply with all applicable Federal and State statutes, rules and regulations prohibiting discrimination in employment including but not limited to: the Americans with Disabilities Act, as amended (42 U.S.C. §§ 12101 et seq.), Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794), Title VI of the Civil Rights Act of 1964, as amended (42 U.S.C. §§ 2000d et seq.), the Age Discrimination Act of 1975, as amended (42 U.S.C. §§ 6101 et seq.), M.G.L. c. 151B, M.G.L. c. 272 §§ 92A, 98, and 98A, M.G.L. c. 111 § 199A, 42 U.S.C. 9918 (c) and 45 C.F.R. 80.

j. Byrd Anti-Lobbying Amendment (31 U.S.C. 1352) – Applicants that are awarded an amount exceeding \$100,000 must certify that it will not and has not used Federal appropriated funds to pay any person or organization for influencing or attempting to influence an officer or employee of any agency, a member of Congress, officer or employee of Congress, or an employee of a member of Congress in connection with obtaining any Federal contract, grant or any other award covered by 31 U.S.C. 1352. Each Applicant must also disclose any lobbying with non-Federal funds that takes place in connection with obtaining any Federal award.

k. Debarment and Suspension- (Executive Orders 12549 and 12689) – Applicants understand that a contract award may not be made to parties listed on the government-wide exclusions in the System for Award Management (SAM).

l. Applicants must be able to comply with all applicable standards, orders or regulations issued pursuant to the Clean Air Act (42 U.S.C. 7401-7671q) and the Federal Water Pollution Control Act as amended (33 U.S.C. 1251-1387). Violations must be reported to the Federal awarding agency and the Regional Office of the Environmental Protection Agency (EPA).

m. As appropriate and to the extent consistent with law, Applicants should, to the greatest extent practicable, provide a preference for the purchase, acquisition, or use of goods, products, or materials produced in the United States. The requirements of this section must be included in all contracts and sub awards awarded hereunder. Notwithstanding the forgoing, awarded Applicants must remain compliant with Build America, Buy America Act (“BABA”) requirements, unless a waiver is granted.

n. Applicant understands and agrees that the Executive Office of Economic Development (“EOED”) staff and authorized representatives may evaluate any subgrantees/subcontractors with whom Mass Tech Collaborative executes a contract or other form of legal agreement in order to complete the activities funded under this Program, through ongoing monitoring. As deemed appropriate by EOED, EOED’s staff and authorized representatives may also conduct further reviews and site-visits during the contract term, which may include fiscal reviews. EOED staff shall use interviews, inspection of files, site visits and direct observation to identify program areas of concern so that contractors can improve their productivity, efficiency, quality, and management capacity.

o. The awarded Applicant shall maintain and utilize systems and procedures to prevent, detect, and correct fraud, waste, and abuse in activities funded under this Program.

p. Pursuant to 2 C.F.R. § 200.303, the awarded Applicant shall establish effective control over, and accountability for, all funds, property, and other assets funded under this Program and assure that they are used solely for authorized purposes.

q. The awarded Applicant shall maintain an accounting system and supporting fiscal records adequate to audit and otherwise verify that assistance payments and administrative costs meet Federal and State requirements.

r. An Awarded Applicant shall use its best efforts to ensure that it will not knowingly use contract funds to purchase, or enter into contracts to purchase, any equipment, services, or systems that use prohibited telecommunications equipment or services as a substantial or essential component of a system subject to 2 CFR § 200.216.